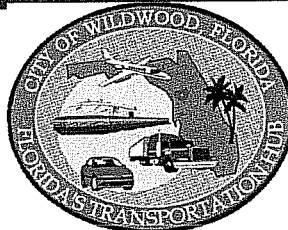


Agenda



Agenda

CITY COMMISSIONERS OF THE CITY OF WILDWOOD

Mayor/Commissioner – Ed Wolf – Seat 1
Mayor Pro-Term/Commissioner – Ronald Allen – Seat 5
Pamala Harrison-Bivins – Seat 2
Don C. Clark – Seat 4
Robby Strickland – Seat 3
Robert Smith – City Manager

March 22, 2010
7:00 PM

PLEASE TURN OFF ALL CELL PHONES AND PAGERS

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Department, ADA Coordinator, at 352-330-1330, Ext. 102, forty-eight (48) hours in advance of the meeting.

F.S.S. 286.0105A-If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The City of Wildwood DOES NOT provide this verbatim record).

AGENDA

- THE MEETING IS CALLED TO ORDER BY THE MAYOR
- INVOCATION
- FLAG SALUTE

▪ **(IMMEDIATELY) ADJOURN AS CITY COMMISSION – MOTION TO APPOINT CITY COMMISSION TO SERVE AS THE CITY'S PLANNING AND ZONING BOARD FOR THE PURPOSE OF ACTION ON THE FOLLOWING:**

- A. Review Special Magistrates recommendation to Commission to abstain from making a recommendations on Cases RZ 2010-02-01, Wildwood Crossings PUD, and Oxford Crossings PUD Case RZ 2010-03-01, to avoid potential conflict (Attachment)
- B. Case RZ 2010-02-01 Wildwood Crossing request to rezone from Commercial/R-1 to City PUD – P&Z Board to review and make a recommendation to the City Commission (Attachments)
- C. Case RZ 2010-03-01 Oxford Crossing request to rezone from General Mixed Use-GM to City PUD – P&Z Board to review and make a recommendation to the City Commission (Attachments)

▪ **RECONVENE AS CITY COMMISSION AND CONTINUE WITH REGULARLY SCHEDULED CITY COMMISSION MEETING:**

1. **TIMED ITEMS AND PUBLIC HEARINGS**

7:00 PM (a)	PUBLIC HEARING-2 nd FINAL READING	Ordinance No. O2010-01, providing for Refuse services, yard waste, amending and adding sections of the City's Code of Ordinances (Attachments – Staff recommends approval)
7:00 PM (b)	PUBLIC HEARING-2 nd FINAL READING	Ordinance No. O2010-06, an ordinance providing specificity of when base rates apply to development (Attachments – Staff Recommends Approval)
7:00 PM (c)	PUBLIC HEARING-2 nd FINAL READING	Ordinance No. O2010-07, providing for emergency plumbing; generators; for pumping stations at critical points or which have a peak design capacity of 1000 GPM or more; etc. (Attachments – Staff recommends approval)

7:00 PM (d)*	Timed Item	Planning & Zoning Board's recommendation on Case RZ 2010-02-01 Wildwood Crossings request to rezone from Commercial/R-1 to City PUD (See Attachments under P&Z Board – B above – Staff Recommends Approval)
7:00 PM (e)*	Timed Item	Planning & Zoning Board's recommendation on Case RZ 2010-03-01 Oxford Crossing request to rezone from General Mixed Use-GM to City PUD (See Attachments under P&Z Board – C above – Staff Recommends Approval)
7:00 PM (f)*	Timed Item	Special Magistrates recommendation on Case RZ 2010-03-02 Parkwood Sumter Properties request to rezone from county PUD to city PUD (Attachments – Staff Recommends Approval)

* Quasi Judicial Hearing

2. REPORTS AND PUBLIC INPUT

- **SPECIAL PRESENTATION (1):** Quarterly update from E5 Solutions (Rick Dodge ref. Economic Development in Sumter County) (Attachments)
- **SPECIAL PRESENTATION (2):** City Employee Recognition (Attachment)
- **SPECIAL PRESENTATION (3):** Proclamation declaring Friday, April 23rd, 2010, as Arbor Day in the COW (in conjunction with the Tree City USA commemoration (Attachment)
 - a. City Manager
 - b. City Attorney
 - c. City Clerk
 - d. Commission Members
 - e. Public Forum (10 minute time limit)
 - f. Notes, Reports, and items for the file as attached

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

1. Minutes of Regular Meeting held on March 8th, 2010 (Attachments – Staff recommends approval)

b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)

1. Ordinance No. O2010-03, an ordinance reclassifying the rezoning of Wildwood Crossing PUD from Commercial/R-1 to City PUD (Attachments)
2. Ordinance No. O2010-04, an ordinance reclassifying the rezoning of Parkwood Sumter Properties from county PUD to City PUD (Attachments)
3. Ordinance No. O2010-05, an ordinance reclassifying the rezoning of Oxford Crossing from General Mixed Use-GM to City PUD (Attachments)
4. Ordinance No. O2010-08, changing the name of a certain street located in Lakeside Landings Development (Attachments – Staff recommends approval)
5. Ordinance No. O2010-09, providing for exemptions from set backs, lot size & signage for lots reduced in size by eminent domain (Attachments)

c. RESOLUTIONS FOR APPROVAL:

1. Resolution No. R2010-08 a resolution declaring surplus property and determining the manner of disposal (Attachments – Staff Recommends Approval)

d. APPOINTMENTS

1. None

e. **CONTRACTS AND AGREEMENTS**

1. None

f. **FINANCIAL**

1. Bills for Approval (Attachments – Staff Recommends Approval)

g. **GENERAL ITEMS FOR CONSIDERATION**

1. Discussion relative to Resolution R2010-07, clarification needed on holiday policy – does Holiday Bank expire in twelve (12) months, or will there not be an expiration date? (Attachments)
2. Discussion relative to continuation of Grower's Market (Attachment – Staff Recommends Approval)

4. **ADJOURN:**

~~~~~

5. **RECONVENE AS MEMBERS OF THE CRA ( Community Redevelopment Agency)**

- a. Bids for the Gamble Street Drainage Improvements Project (Attachments – Staff Recommends Approval of low bidder)

6. **ADJOURN**

~~~~~

NOTES – NO ACTION REQUIRED:

- a. None

REPORTS:

CITY MANAGER:

1. Budget Analysis Report for February 2010 (Attachments)
2. FYI – Thank you letter to the Sumter 44 Lions Club and Wal Mart for their contributions to the City Parks & Recreation Department (Attachments from Jason Hargrove PRC)
3. FYI – Wildwood Dixie Youth League contract (Attachment)
4. FYI – Friends of the Library report of "successful" book sale and request to utilize building for another on June 5th (which I have approved) (Attachments)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Archie O. Lowry, hereby disclose that on March 2, 20 10:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

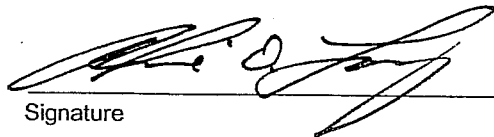
I am the Special Magistrate for the Planning and Zoning Board for the City of Wildwood. On March 2, 2010, two agenda items were heard before me pertaining to the rezoning of property to a PUD. The two cases were: RZ 2010-02-01, Wildwood Crossings; and RZ 2010-03-01, Oxford Crossings. At the meeting, I disclosed that I am the attorney for Sumter Landing Community Development District. Joe Nesbitt is the owner of the company that is making the request for rezoning and Joe Nesbitt is a supervisor of the Sumter Landing Community Development District. The Sumter Landing Board hired me for the position and the Board has the legal right to terminate me.

A third party who attended the rezoning meeting objected to my making a recommendation in this matter by asserting a conflict of interest. Because the person seeking the rezoning change could impact the Special Magistrate financially, there could possibly be a conflict of interest. In order to avoid even the appearance of an impropriety, I believe it is in the best interest that the Special Magistrate abstain from making a recommendation in this matter.

Date Filed

3/15/2010

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Lowry, Archie O.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Planning & Zoning	
MAILING ADDRESS 308 E. Fifth Ave.		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Mount Dora	COUNTY Lake	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED March 2, 2010		NAME OF POLITICAL SUBDIVISION: City of Wildwood	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

**CITY OF WILDWOOD
PLANNING & ZONING BOARD/SPECIAL MASTER
RECOMMENDATIONS**

The case below was heard on Tuesday, March 2, 2010, by the Special Magistrate. The applicant seeks final approval from the City Commission for the rezoning from Commercial/R-1 to City Planned Unit Development – PUD as outlined in the proposed PUD Ordinance.

Case: RZ 2010-02-01
Wildwood Crossings PUD

Owner: Acorn Investments
Joseph W. Nisbett, Manager

Applicant: Joseph W. Nisbett, Manager

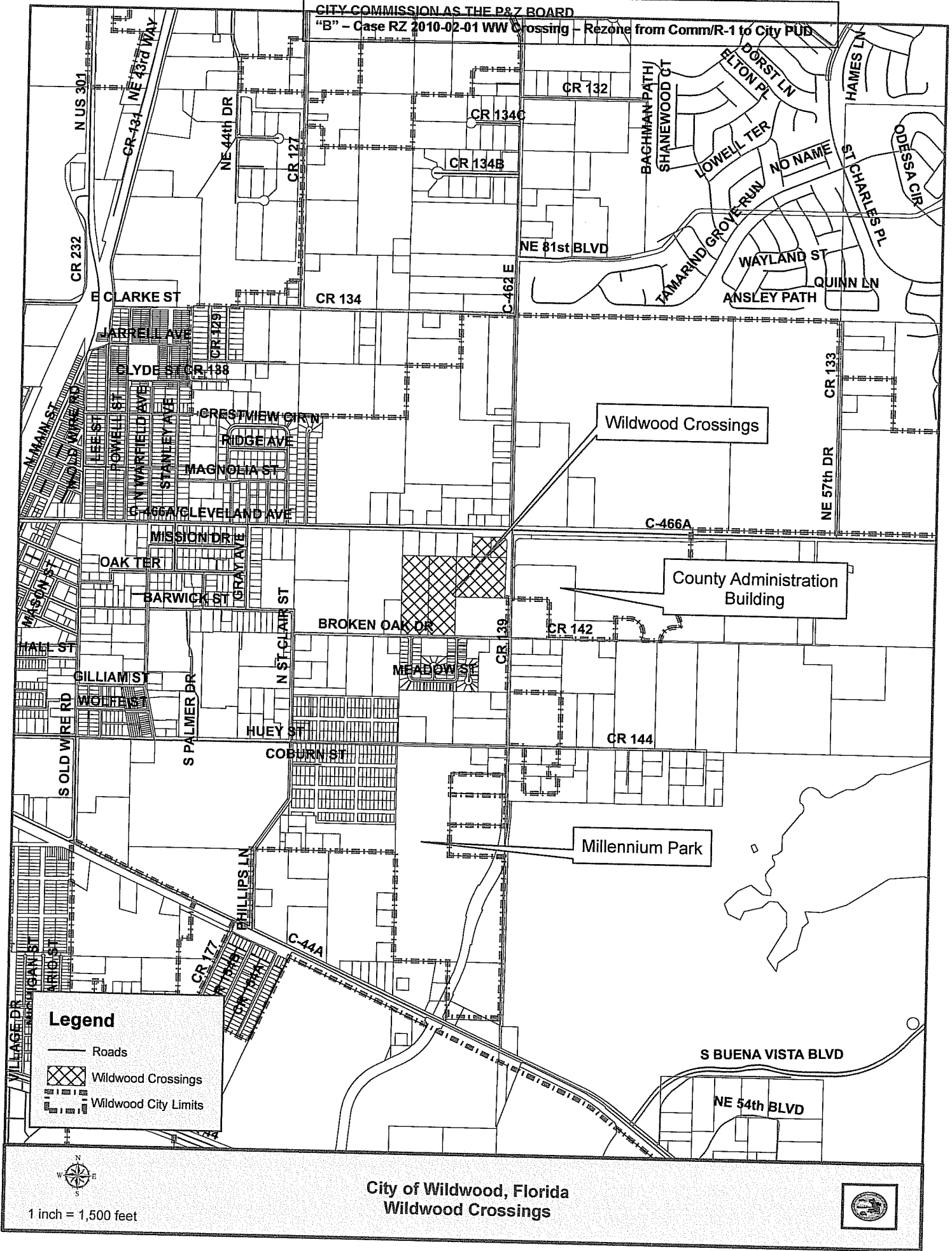
Property Location: Southwest corner of C-466A, CR 462 & CR139

Due to a potential conflict, the Special Magistrate abstained from making a recommendation in this matter.

Dated: _____

PROPOSED

Archie O. Lowry, Jr.
Special Master
City of Wildwood



**CITY OF WILDWOOD
PLANNING & ZONING BOARD/SPECIAL MASTER
RECOMMENDATIONS**

The case below was heard on Tuesday, March 2, 2010, by the Special Magistrate. The applicant seeks final approval from the City Commission for the rezoning from General Mixed Use – GM to City Planned Unit Development – PUD as outlined in the proposed PUD Ordinance.

Case: RZ 2010-03-01
Oxford Crossings PUD

Owner: Wildwood 31, LLC
Joseph W. Nisbett, Manager

Applicant: Joseph W. Nisbett, Manager

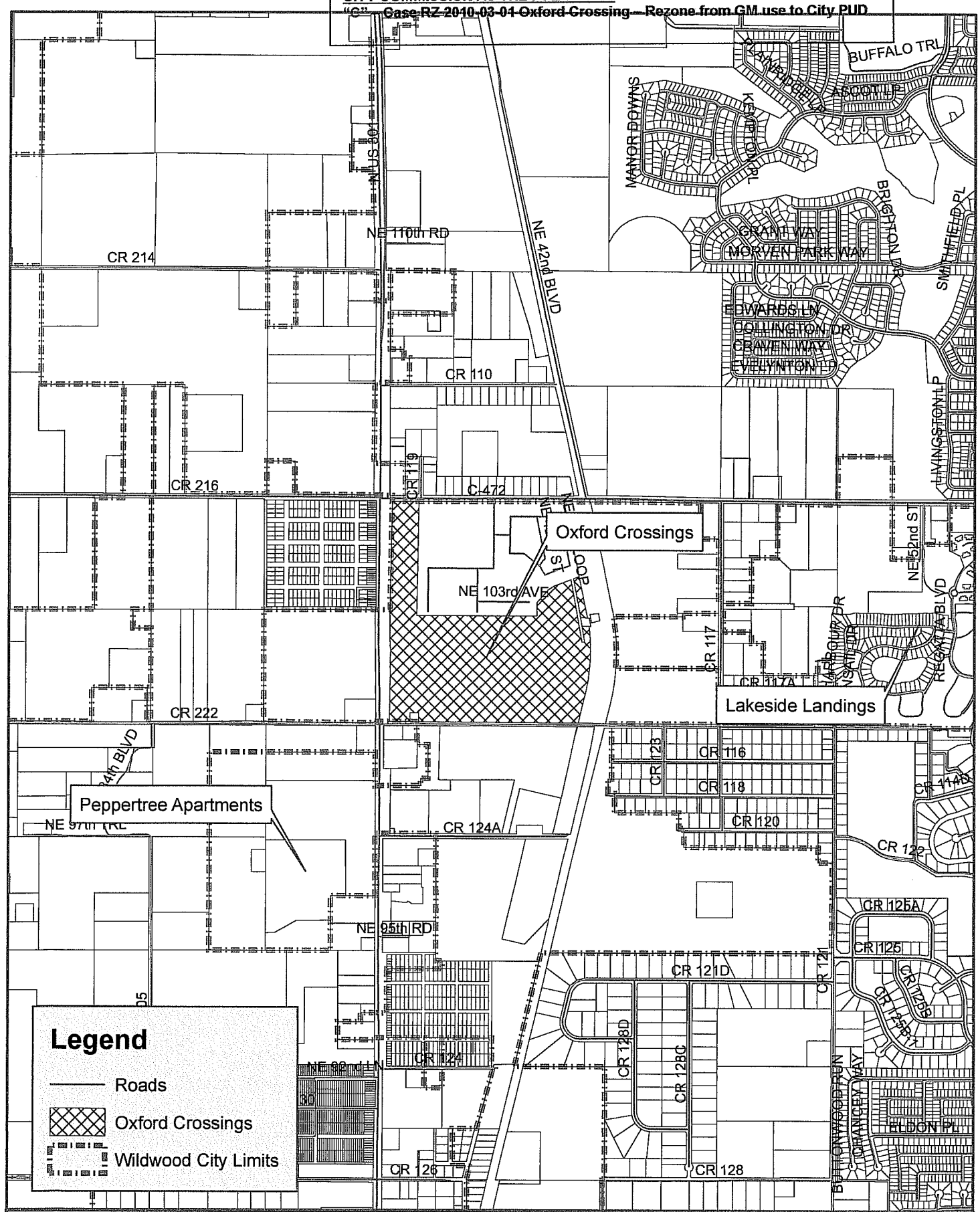
Property Location: Northeast corner of US 301 & CR 114

Due to a potential conflict, the Special Magistrate abstained from making a recommendation in this matter.



Dated: _____

PROPOSED

Archie O. Lowry, Jr.
Special Master
City of Wildwood



Legend

- Roads
-  Oxford Crossings
-  Wildwood City Limits



1 inch = 1,500 feet

City of Wildwood, Florida
Oxford Crossings



ORDINANCE NO. O2010-01

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, CREATING CHAPTER 15, ARTICLE I OF THE CITY OF WILDWOOD CODE; PROVIDING FOR DEFINITIONS; PROVIDING THAT CITY FACILITIES FOR THE COLLECTION OF REFUSE AND GARBAGE ARE ESTABLISHED AS A UTILITY; AMENDING ARTICLE II OF THE CITY OF WILDWOOD CODE; AMENDING SECTION 15-31; PROVIDING FOR REFUSE SERVICES; PROVIDING PROCEDURE FOR SETTING REFUSE FEES; PROVIDING FOR COLLECTION GENERALLY; AMENDING SECTION 15-32, PROVIDING THAT ALL REFUSE AND GARBAGE SHALL BE COLLECTED BY THE CITY; PROVIDING FOR EXCEPTIONS; AMENDING SECTION 15-33; PROVIDING THAT COLLECTION SHALL BE SUPERVISED BY THE DIRECTOR OF SOLID WASTE; AMENDING SECTION 15-34; PROVIDING FOR PRIVATE COLLECTION PERMITS; AMENDING SECTION 15-35; PROVIDING FOR COLLECTION IN NEWLY ANNEXED AREAS; AMENDING SECTION 15-36; PROVIDING FOR RESIDENTIAL AND COMMERCIAL CONTAINERS; AMENDING SECTION 15-37; PROVIDING FOR COMMERCIAL DUMPSTERS; AMENDING SECTION 15-38; PROVIDING FOR YARD WASTE; AMENDING SECTION 15-39; PROVIDING FOR COLLECTION OF TIRES, RIMS AND WHITE GOODS; AMENDING SECTION 15-40; PROVIDING FOR ENFORCEMENT OF DELIVERY FEES; DELETING SECTION 15-41; RENUMBERING SECTION 15-42; RENUMBERING SECTION 15-43; ADDING A NEW SECTION 15-43; REPEALING ORDINANCE NUMBERS 254, 394 AND 402; PROVIDING FOR PROHIBITED ACTS; PROVIDING FOR AN EXCEPTION TO CURBSIDE PLACEMENT FOR HANDICAPPED CUSTOMERS; PROVIDING FOR FEES; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Be it ordained by the City Commission of the City of Wildwood, Florida:

SECTION 1. Chapter 15, Article I, Sections 15-1 through 15-3 is created as follows:

ARTICLE I. IN GENERAL

Sec. 15-1. Short title.

This chapter shall be known and may be cited as the municipal refuse collection and solid waste ordinance.

Sec. 15-2. Definitions.

For the purpose of this chapter the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word shall is always mandatory and not merely directory.

Automated Collection is a system of waste collection that utilizes automated or semi-automated refuse containers or dumpsters and collection vehicles capable of automatically or semi-automatically picking up and unloading the refuse container.

Available means the city has sufficient resources available to extend its garbage collection and disposal services to an area.

Biohazard Waste is any solid waste or liquid waste that may present a threat of infection to humans. The term includes but is not limited to non-liquid human tissue and body parts, laboratory and veterinary waste containing human-disease-causing agents, used disposable sharps, human blood, human products and any body fluids and any other materials such as needles representing a significant risk of infection to persons outside of the generating facility or defined as "biohazard waste", "biomedical waste", or biological waste under state or federal law.

Building Official is the director of the building zoning and licensing department.

Bulk waste is solid waste generally described as large items such as furniture, mops/brooms, scrap lumber/construction waste, household appliances and other metals.

Citation is a written notice, issued to a person, which has probable cause to have committed an infraction in violation of a duly enacted ordinance of the City of Wildwood.

City is the City of Wildwood, Florida.

Collector is any person (1) employed by or who contracts with the City who is engaged in the collection, transportation and disposal of municipal solid waste from residential, commercial, industrial, institutional or other establishments.

Commercial and Industrial Premises is all premises except residential premises.

Commercial cluster is an area developed and maintained as a single entity according to a plan containing commercial units which have a common or public open space as an appurtenance.

Commercial Solid Waste Container is a dumpster, roll off box or other container for municipal solid waste approved for commercial use approved by the City of Wildwood.

Compost material is grass clippings, hedge clippings, leaves, twigs, and similar material.

Construction and Demolition Debris is discarded materials considered to be non-hazardous in nature, including but not limited to steel, glass, brick, concrete, asphalt material, pipe, wallboard and lumber, from the construction or destruction of a structure as part of a construction or demolition project. Mixing of construction and demolition debris with other types of solid waste will cause it to be classified as other than construction and demolition debris.

Container residential solid waste collection is the collection of residential solid waste from dwelling units who's refuse is collected by means of a refuse container.

Contained Yard Waste is yard waste which is placed in containers provided by the customer. Acceptable provided by the customer shall be plastic yard bags not to exceed 32 gallon capacity and do not weigh more than 50 pounds. The bags shall be strong enough to support the weight of the contents without tearing ripping or breaking upon collection.

Container is a serial numbered container issued by the City with a capacity of a 32 or 96 gallons, on wheels for rolling with a non removable hinged lid suited to automated or semi automated dumping equipment approved by the municipality.

Contractor generated waste is construction and demolition debris or yard waste or any combination thereof generated by builder/contractors privately employed tree trimmers, landscape services and or yard maintenance services and nurseries.

Containerized Residential Solid Waste Collection is the collection of residential solid waste from dwelling units whose refuse is collected by means of a central or shared commercial municipal solid waste container and not by means of a refuse can.

Curbside is that portion of the right of way adjacent to and abutting the traveled city street and alleys. The intention of a curbside designation is to allow collection in a rapid manner with walking or reaching minimized. In all cases the City Manager or Director shall have the authority to approve or specify the precise location for such curbside service.

Curbside pickup service is the service provided for the collection of relatively small quantities of refuse through the automated collection system.

Department is the City of Wildwood Public Works Department.

Director is the Director of Public Works of the City of Wildwood, Florida.

Dumpster is a City issued container ranging from 2, 4, 6 or 8 yards for the removal of solid waste.

Dumpster Lock is a locking device provided by the Department for commercial sanitation customers requiring lock service. The lock operates with a master key and is the only lock a customer may use to secure its dumpster enclosure with gates.

Dumpster Pad is construction of a concrete pad at a location approved by the public works department that is constructed according to city specifications and codes.

Dumpster Pad Enclosure is a three sided structure used to enclose a dumpster pad. The enclosure may include attachment of swinging gates at the dumpster service entrance to the pad. The enclosure must meet City specifications and codes.

Dumpster service is the service provided for the collection of large quantities of refuse through the use of bulk containers containing two (2) cubic yards or greater which are capable of being mechanically dumped.

Dwelling is any building, or portion thereof, which is designed to be used, or is actually used, as living quarters for one or more persons, families, or households. Such a building must be supported by, at a minimum, walls which are complete from bottom floor to roof.

Dwelling unit is a room or group of rooms which is equipped for independent housekeeping and is occupied, or is intended to be occupied, by not more than one person, household, or family.

Electronic Waste is telephones, televisions, fax machines, printers, copiers, scanners, monitors, microwaves, cell phones, other electronic devices or devices containing a cathode ray tube are considered to be hazardous waste.

Excavation, construction and demolition waste shall mean building materials and rubble including but not limited to earth, stone, brick, flooring lumber, plaster, roofing and any other waste resulting from construction, remodeling, repair or demolition of any building, pavement or other structure.

Garbage is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food. All accumulations of animal, fruit, or vegetable matter attends the preparation, use, cooking, dealing in or storage of meats, fish, fowl, fruit, vegetables and any other matter of any nature which is subject to decay, putrefaction and the generation of noxious and offensive gases or odors, ow which, during and after decay may serve as a breeding or feeding material for flies or other germ-carrying insects, and bottles, cans or other food containers which due to their ability to retain water, may serve as breeding places for mosquitoes or other water-breeding insects.

Gated Communities is a residential development with privately owned homes and roads where ingress and egress to the development is controlled by gates or other forms of security. These communities must provide the municipality with access according to the type of entry. (Combination, key, etc.).

Hazardous Waste is waste which requires special handling due to its acute or chronic effects on air and water quality and on the health and welfare of the public, including, but not limited to material designated as hazardous waste in any federal, state, county or city statute, regulation or ordinance also that waste which is determined to be hazardous by department of environmental protection agency or any other federal agency.

Industrial Solid Waste is municipal solid waste generated by manufacturing or industrial processes that is not considered as hazardous waste.

Limb Burner is a municipal owned and operated wood waste facility, to dispose of limbs and yard debris.

Litter is any garbage, rubbish, trash refuse, can, bottle, container, paper or other like material, which is not containerized.

Nonpermanent Donation Center is any container trailer or other device requiring a permit that is manned or unmanned on public property used to accept donation of clothing, furniture, household goods or other items intended for reuse.

Owner is a person who owns, leases or occupies property.

Pallet is a portable platform made of non-pressure treated wood used for storing or moving cargo or freight. Pallets of this type are recyclable and shall be disposed of as clean wood waste.

Person. The term person shall include a nature person, a partnership, or corporation.

Private Road is an undedicated paved or unpaved thoroughfare that provides vehicular access to developed property and is the property owners responsibility to maintain for municipal equipment to travel.

Rates means those charges, fees, fines and surcharges adopted by the City Commission by resolution for the collection, disposal and management of municipal solid waste and yard waste and recyclable materials, white goods and tires.

Receptacles are containers, other than roll-out container, generally used for residential dwellings.

Recyclable Commodities are items which after processing can be reused, which would otherwise be processed as municipal solid waste.

Recyclable Dumpster is a City approved dumpster specifically colored and labeled for the collection of specific recyclable commodities.

Recyclable material means those materials which are capable of being recycled or

composted and which would otherwise be processed or disposed of as solid waste.

Recycling means any process by which solid waste, or materials which would otherwise become solid waste are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

Refuse shall include garbage and all trash, rubbish, paper, glass, and any other discarded matter which is abandoned for disposal.

Rerouting is the purposeful or unintended altering of a planned collection route, which prevents the collection of municipal solid waste at the time service is normally provided. Purposeful or unintended altering may include but is not limited to obstruction, inaccessibility customer request or complaints from nearby residents.

Residential cluster is an area developed and maintained as a single entity according to a plan, containing dwelling units which have a common or public open space as an appurtenance.

Roll out container is the container which has been furnished by the city and used for the collection of relatively small quantities of refuse through the use of the automated collection system.

Sanitary Nuisance is a condition created by any person, or the maintaining, existence or permitting of anything by a person by which the health or lives of individuals may be threatened or impaired or by which disease may be caused or transmitted.

Solid waste means all solid wastes (except body wastes) including garbage, yard or garden trash, yard waste, trash and waste of any kind.

Solid Waste Management are those employees of the department who are responsible for investigating and monitoring the process by which municipal solid waste is collected transported and processed in accordance with this ordinance.

Swill shall include food scraps generated, either before or after cooking by a food preparer, which may then be collected for feeding to swine.

Transfer Station is the legally approved and properly permitted site that is designated by contract for the disposal of all municipally collected solid waste, industrial waste, waste tires, and hazardous waste.

Trash is household discarded items, furniture, carpeting, beds, bicycles and any other discarded matter other than normal solid waste. Excluding hazardous waste.

Waste Tire or Rim is a tire from a motorized vehicle that is no longer suitable for its originally intended purpose and is no longer intended by the holder for vehicular use.

White goods are household appliances such as stoves, refrigerators, washers/dryers, and air conditioners.

Yard or garden trash shall mean grass, leaves, tree or shrubbery cuttings or any other refuse which is horticultural in nature and incident to the care of any form of landscaping, whether natural or devised. Yard trash is worthless or waste matter of any kind generally resulting from yard maintenance.

Yard Waste is tree trimmings, brush, or other organic cuttings related to the maintenance of lawns or gardens that conform to City specifications that are not containerized and is appropriately placed at curbside for collection.

Sec. 15-3. Facilities established as public utility.

The facilities for collection and disposal of garbage, trash, rubbish and refuse, owned, operated and maintained by the city, together with all extensions thereof and replacements thereto, are established and declared to be a public utility for the use and benefit to the city, in the maintenance of public health and general sanitary conditions throughout the city; and the same shall be known as the city sanitation services.

Sec. 15-4 through 15-30 are reserved.

SECTION 2. Article II, City of Wildwood Code, is amended as follows (cross-throughs indicate deletions and underlines indicate additions):

ARTICLE II. REFUSE SERVICES

Sec. 15-31. General administration; setting fees; fees outside of the city.

~~(a) All living units, residences, institutions, agencies, businesses, industries, or other entities within the City limits requiring refuse services are required to purchase such service from the municipality or its designee.~~

~~(b) All aforesaid entities within newly annexed territory of the City will have 30 calendar days following receipt of notification by the City to being City refuse services.~~

(a) Unless specifically excepted pursuant to Section 15-32 of this code, all Residential, Commercial, Industrial or other entities within the City limits of the City of Wildwood shall have their solid waste collected, conveyed and disposed of by the City of Wildwood.

~~(b) All deposits and fees for the collection of solid waste shall be set forth by resolution approved by the City Commission in accordance with this ordinance.~~

(c) Entities may be released by the City Commission from municipal refuse/solid

waste pickup because of the nature, volume, location or other incompatibility of the individual service. Said release must be in writing and can be rescinded at any time by the City Commission with 30 days notice.

- (d) ~~A refuse deposit fee equivalent to two months service charge will be collected on all new residential and commercial accounts using containers. Accounts utilizing dumpsters will pay a deposit fee equal to one month service charge. These deposits will be held for application against any delinquent balance. Upon termination of service, the account holder may present the deposit receipt for a refund of the deposit, minus any outstanding obligation. The deposit fee will not accumulate interest.~~
- (e) ~~Refuse left at curbside is the responsibility of the resident until picked up by the City and then it becomes the property of the City.~~
- (fd) Services provided outside the boundaries of the municipality will be billed at a twenty five (25%) percent surcharge above the city rates as provided for in F.S. ch. Section 180.199(a), Florida Statutes.

Sec. 15-32. ~~Residential and commercial cans.~~ Collection generally; exceptions.

~~(a) Individual residential units and commercial businesses requiring the use of containers (an individual business that does not produce enough refuse to require the volume of a dumpster) will be supplied by the city an automated refuse container.~~

~~(b) Containers will be picked up once a week.~~

~~(c) Residences and businesses that produce more refuse than the city provided container will hold, will be assessed a monthly surcharge fee for the second container; surcharge fees will beg established by resolution.~~

~~(d) All refuse must be bagged and contained inside the city provided container. Garbage not placed inside the city provided container will not be picked up.~~

~~(e) Containers must be placed at curbside to be picked up and qualify for the regular rate. A surcharge may be possible for non-curbside service.~~

~~(f) Containers must be placed at the designated spot facing the proper direction to avoid a surcharge or non-pickup.~~

~~(g) Exact time of pickup may vary from week-to-week. Refuse must be placed at curbside no later than 7:00 a.m., but no earlier than 12 hours prior to the customary pickup time. After pickup, containers must be removed from curbside and placed adjacent to dwelling by midnight the day of pickup to avoid code enforcement action.~~

~~(h) Street side holding areas (fenced or not) are not permitted.~~

~~(i) Refuse containers must be maintained in a reasonable state of sanitation and repair for health and safety reasons. The customer will pay for the replacement of containers damaged or broken from abuse or neglect.~~

(a) All solid waste and refuse accumulated in the city shall be collected, conveyed and disposed of by the city sanitation services. No person shall collect, convey over any of the streets or alleys for the city, or dispose of any refuse accumulated in the city without a written contract or permit approved by the city unless one or more of the following exceptions apply:

(1) *Exception for actual producers.* Nothing contained herein shall prohibit the actual producers of solid waste, or the owners of the premises upon which solid waste has accumulated, from personally collecting, conveying and disposing of such solid waste, provided such producers or owners comply with the provisions of this ordinance and with any other governing law.

(2) *Exception for outside collectors.* Nothing contained herein shall prohibit collectors of solid waste from outside the city from hauling such solid waste over city streets, provided such collectors comply with the provisions of this chapter and with any other governing law.

(3) *Exception for franchisee.* Nothing contained herein shall prohibit collectors of solid waste within the city under a franchise or other contractual agreement with the city from exercising all rights and completing all duties allowed and required under the franchise or other contractual agreement.

(4) *Exception for bonafide recycling program.* Nothing contained herein shall prohibit any person from collecting and recycling any recyclable material.

(5) *Exception for licensed commercial haulers.* Nothing herein shall prohibit licensed commercial haulers approved by the City for a specific type of collection at a specific location to haul solid waste pursuant to the license over city streets provided such haulers comply with the provisions of this chapter and any other governing law.

(6) *Exception for commercial tree trimmers, landscapers and lawn maintenance operators.* Nothing contained herein shall prohibit commercial tree trimmers, landscapers and lawn maintenance operators from hauling yard debris including branches, grass, and other types of yard debris over city streets provided such collectors comply with the provisions of this chapter and any other governing law.

(b) Commercial tree trimmers, landscapers and lawn maintenance operators shall dispose of all waste produced by their operation in compliance with this ordinance. They may either properly bag, package or place materials produced pursuant to tree trimming, landscaping and lawn maintenance curbside at the site where the waste was

produced for pickup by the City or may transport it if properly approved of such transportation by the City.

(c) The producer of yard waste such as homeowner may transport yard waste from his or her home to to the City limb burner site.

(d) Builders, building contractors and construction tradesmen shall be responsible for removing from the site all excavation, construction and demolition wastes emanating from their work and shall use vehicles designed or outfitted so as to prevent the wastes carried therein from being blown, dropped or spilled from said vehicles. Building contractors shall contract for this service from the city's solid waste division or from a commercial hauler who is properly licensed and permitted by the city.

(e) Removal and disposal of garbage and refuse from both residential and commercial establishments shall be the responsibility of the city. The owner of the premises must contact the city to request service. If the volume or type of refuse generated is sufficient to warrant the use of collection equipment different than the city is able to provide, and this fact is so certified by the city's director of public works, then the owner may contract for refuse collection and disposal from a private collection person or corporation which is appropriately licensed and permitted by the city. This clause shall not apply to temporary building or construction sites.

Sec. 15-33. Commercial Dumpsters. Collection supervised by director of public works.

~~(a) Two-yard, four-yard, six-yard, and eight-yard dumpsters are available.~~

~~(b) Commercial customers may require standard service, two pickups per week; or double service, four pickups per week.~~

~~(c) Commercial businesses which are required by law to have dumpsters with lids may request same in writing and expect a 30-day delivery time frame.~~

~~(d) Metal may not be placed in dumpsters.~~

All solid waste accumulated in the city shall be collected, conveyed and disposed of by the city under the supervision of the director of public works. The director shall have the authority to make regulations concerning the days of collection, type and location of waste containers and such other matters pertaining to the collection conveyance and disposal as the director finds necessary, and to change and modify the same after notice as required by law, provided that such regulations are not contrary to the provisions hereof, and are subject to approval by the city council by resolution.

Sec. 15-34. Grass and leaves Private collector's permit.

~~(a) Grass and leaves will be picked up at curbside once a week, only if contained in store bought lawn and leaf bags; or special purpose bags purchased at city~~

hall, if approved by city resolution. The weight of each bag for pickup is not to exceed 50 pounds.

- ~~_____ (b) All customers are encouraged to use mulching type mowers to reduce the need for this city service.~~
- ~~_____ (c) Residents and businesses east of the centerline of Highway 301 (Main Street) must have bags at curbside according to schedule A in the refuse resolution.~~
- ~~_____ (d) Residents and businesses west of the centerline of Highway 301 (Main Street) must have bags at curbside according to schedule B in the refuse resolution.~~
- ~~_____ (e) Bags should not be placed on the traveled portion of city streets or in driveways, but should be accessible at curbside so as to minimize the time and effort required for pickup. Collectors are not required to retrieve, open gates or lift bags over fences or other containment.~~
- ~~_____ (f) Bags may not be left at curbside for any longer than three days.~~
- ~~_____ (g) Commercial businesses will be charged as specified in the refuse resolution.~~

(a) No person shall collect or remove garbage or refuse from any premises in the city as a primary business endeavor, or transport garbage or refuse originating in the city, through the streets, alleys or public ways or dump, incinerate, or in any other manner, dispose of garbage or refuse or permit himself to be employed or engaged for any such collection or removal, transportation or disposal without having first secured a permit for providing such services from the city clerk's office which has been approved by the director of public works.

(b) Before issuing any such permit the public works director shall require the execution of an application showing the name of the person to receive the permit, or in the case of an entity which is not a natural person, the names of persons who are responsible for performing such services for the entity, together with the business and home addresses of each of such persons. Each applicant for such permit shall pay an initial application fee of one hundred dollars (\$100.00). All refuse shall be disposed of only at a properly licensed and approved waste disposal site. The permit shall also contain the name and address of each owner or tenant from whose premises garbage or refuse is to be collected, whether on a permanent or temporary basis. Each time a private collector adds or deletes a customer within the city limits, he must notify the city public works director of the name and address of owner or tenant being added or deleted. Failure to do so shall be cause to revoke the permit. The permit holder shall provide to the city, upon request, records pertaining to any container placed in the city, including but not limited to contracts, and trip tickets, from which the permit holder may redact any information pertaining to specific charges levied against or paid by individual collection accounts or sites. The permit holder

shall, however, provide to the city upon request a statement of the permit holders gross revenues derived from all customers within the city limits for a specified period of time, without itemization of charges to individual accounts or customers.

(c) The applicant for a private collector's permit shall furnish to the city evidence that such applicant is carrying a policy of public liability insurance, providing protection for the city and for all persons suffering injury, loss or damage to person or property by reason of the operation of equipment or actions of person employed by the applicant. Every such insurance policy shall be in such form and substance commonly in effect for such policies and shall be executed by an insurance company or companies authorized to do business in this state. Coverage shall be in the sums of not less than one hundred thousand dollars (\$100,000.00) for injury or death to any person and not less than three hundred thousand dollars (\$300,000.00) for injury or death to all persons by any one accident and not less than fifty thousand dollars (\$50,000.00) for damage to property resulting from any one accident. Each of said sums shall remain in full force each year the permit is granted and every insurance policy shall contain a provision whereby every company executing the same shall obligate itself to notify the city in writing at least thirty (30) days before any alteration, modification or cancellation of such policy is to become effective.

(d) The director of public works shall, however, issue a permit without the payment of a permit fee to (1) a bona fide collector of swill for the feeding of such collector's own swine when the owner of the premises from which such swill is being removed is regularly using the city sanitation services, and (2) bona fide collectors of meat scraps, bones or fat whose regular business is the rendering or processing of such wastes.

(e) No permits required by this section shall be renewed, including those outstanding on the effective date of this section, and no such permit shall be issued to any person unless the director of public works determines that the city is unable to collect, remove or dispose of certain garbage and refuse accumulations. All annual permits under this section shall terminate on the last day of the fiscal year of the city or at such time as the city acquires the ability to collect, remove or dispose of the garbage and refuse accumulations. Each permit holder shall make a written renewal application on forms provided by the city on or before October 1 of each calendar year, which application shall contain substantially the same information as the initial application and shall be accompanied by the required fee which shall be set by resolution by the City Commission. The granting or renewal of a permit pursuant to this section shall not be construed as a grant of a franchise or of vested rights. The permit required shall be in addition to an occupational license required by the city.

(f) The city reserves the right to reject any such application, or to revoke or suspend any such license or permit, if in the opinion of the city, the private collector is not operating in such a manner as to protect the public health or maintain sanitary conditions within the city.

(g) Franchise fee. A franchise fee shall be paid monthly by each permit holder in the amount of ten (10) percent of the permit holder's gross revenue collected from

customers within the city limits for the preceding month, for all charges imposed for roll off service, including charges for furnishing open top and compaction type roll off containers, charges for transport of containers, and refuse disposal charges. If the city has reasonable cause to believe the permit holder is not reporting its gross revenues properly, the city may conduct an audit of the permit holder's books and records pertaining to customers within the city limits, for the previous three (3) years, and the permit holder shall submit all such records to the city at the permit holder's business location closest to city hall for inspection and audit upon request. If the audit discloses that gross revenues have been underreported by more than three (3) percent for more than any two (2) months during the audit period, the city may make copies of all records substantiating its audit findings, and the permit holder shall remit to the city the additional franchise fees due on the underreported revenues for the entire audit period, plus a penalty of twenty-five (25) percent of the amount of additional franchise fees due, and the actual cost to the city of conducting the audit. Failure to remit any amounts due under this subsection within thirty (30) days of the date of billing or demand by the city shall constitute grounds for revocation of the permit. Any amounts not paid within thirty (30) days of billing or demand shall bear interest at the highest rate allowed by law until paid in full.

Sec. 15-35. ~~Tires and Rims Collection in newly annexed areas.~~

~~—— The city will pass on to the customer, the individual landfill charges for the following, plus a ten percent handling fee:~~

- ~~—— (1) Car tire:~~
- ~~—— (2) Car tire with rim:~~
- ~~—— (3) Truck tire (up to size 900 x 20):~~
- ~~—— (4) Truck tire (up to size 900 x 20) with rim:~~
- ~~—— (5) Tire larger than size 900 x 20 will be charged at a per pound rate:~~
- ~~—— (6) Other:~~

~~—— To ensure timely pickup and proper billing for tires residents should follow the pay-item procedure outlined in the refuse resolution:~~

When an area is annexed into the city:

a. All refuse and solid waste produced by any developed area that is annexed into the City which is not contracted with a refuse collector shall be required to utilize the services of the City or its designee for collection, conveyance and disposal of solid waste and refuse.

b. All refuse and solid waste produced by any developed area that is

annexed into the City which is contracted with a refuse collector shall be required to utilize the services of the City or its designee for collection, conveyance and disposal of solid waste and refuse at the end of its contract with the refuse collector unless the refuse collector has obtained a permit and franchise pursuant to this ordinance.

Sec. 15-36. ~~Trimming and limbs~~ Residential and commercial containers.

~~(a) Delivery. The city will be has constructing a forced air limb burner. When operational, r Residents are encouraged to bring yard trimming and limb debris to the burner grounds during advertised hours of operation at a fee to be set by resolution.~~

~~(b) Pickup:~~

~~1. Piles of trimmings and limbs (all grass and leaves need to be bagged per section 15-34) will be picked up at residents' curbside at no fee only if the pile does not exceed the following maximum size.~~

~~i. The maximum volume allowed for no-charge pickup is two cubic yards as estimated by the public works director or his designee. Ground area covered and height of pile may vary within the maximum volume.~~

~~ii. No limbs shall be larger than six inches in diameter at any point and no larger than four feet in length for no-cost pickup.~~

~~(c) Pay pile pickup:~~

~~1. There will be a charge for trimmings and limbs not conforming to the aforementioned two cubic yard criteria. The pay-item procedure as outlined in the refuse resolution shall apply.~~

~~2. Residents are encouraged to take yard trimmings and limbs to the county landfill if they so desire or residents may contract with a private hauler permitted to perform this type of work in the city in lieu of city services.~~

~~3. Trimmings and limbs shall not be left at curbside for longer than five days unless a pay-item procedure has been initiated with the city.~~

(a) Residential and commercial containers are scheduled for a once a week pick-up.

(b) Refuse shall be placed in a residential/commercial solid waste container assigned by the department no earlier than 7:00 p.m. on the evening

preceding the collection day, at a curbside location within a distance of three (3) feet from any obstruction, facing the proper direction and not to interfere with or endanger the movement of vehicles or pedestrians.

(c) All residential/commercial solid waste containers must be removed by 7:00 a.m. on the day following the collection day. Street side holding areas (fenced or otherwise) are not permitted.

(d) No residential/commercial municipal solid waste containers, when filled shall exceed the capacity of the container. The container must be that the contents shall dump out readily when the container is inverted. Solid waste containers shall at all times have their attached lids fully closed.

(e) All residential/commercial municipal solid waste containers shall be subject to inspection, approval or condemnation by the director.

(f) Maintenance of all refuse containers shall be the responsibility of the user. Sanitation services may refuse to pick up or empty any containers which are not properly maintained or which are not compatible with or accessible by city sanitation service equipment.

(g) Each person issued a refuse container shall notify the city in the event the container is stolen, lost or damaged.

(h) Reports of missed collection service must be reported by 10:00 a.m. on following the day the service was scheduled to be performed. If it is verified by the department that the service was performed as scheduled, or that the container was uncollectable due to obstruction or overloading and the container user requests collection service to empty the container before the next scheduled collection day, the customer shall be charged a rerouting or extra dumping fee at the rate established by separate resolution.

(i) If a dwelling is to be unoccupied for any length of time the city shall be notified to pick up the container. Upon reoccupancy a container shall be reassigned to the dwelling.

Sec. 15-37. ~~Other refuse~~ Commercial dumpsters.

~~(a) Refuse not covered in sections 15-31 through 15-35 shall fall in the "other refuse" category. This category includes furniture, white goods, carpeting, beds, bicycles, electronic goods, and other non-standard household garbage, and requires a pay-item procedure.~~

~~(b) The items covered in (a) above are not permitted to be placed in cans or dumpsters.~~

~~(c) Residents are encouraged to dispose of these items at the county landfill; however, the city will pick up and dispose of these items for a service fee since these items are not covered under normal residential or commercial monthly refuse rates for cans or dumpsters.~~

~~(d) The service fee to dispose of the items covered under this section will be based upon the size of the pile and cost of disposal of the pile. A minimum charge of \$10.00 per single item will be charged.~~

~~(e) Any pay items placed curbside in the city's right-of-way shall be picked up and disposed of by the city. At the time that the pay items placed in city's right-of-way are picked up by the city, city employees will photograph the pile. A minimum charge of \$10.00 per each single item will be charged.~~

~~(f) The charge for the pay pile will be placed on the customer's next utility bill. The customer will have an obligation to pay the charge for the pay pile pick-up in the same manner that the customer has an obligation to pay for any other utility charge. If the customer fails to pay for the pay pile pick-up charge along with the rest of the utility bill, the city will have the right to take any measure to protect its right to payment. Failure to pay all charges on a utility bill may result in termination of utility services, including water and sewer services, after notice.~~

~~(g) Refuse of this type is not permitted to remain at curbside for longer than five calendar days.~~

~~(a) Two-yard, four-yard, six-yard, and eight yard dumpsters are available.~~

~~(b) Commercial customers may require standard service, two pickups per week; double service, four pickups per week.~~

~~(c) Commercial businesses which are required by law to have dumpsters with lids may request same in writing and expect a 30-day delivery time frame.~~

~~(d) Metal may not be placed in dumpsters.~~

(a) All places of business shall be required to use dumpsters furnished by the city if the volume of the municipal solid waste exceeds three 96-gallon containers.

(b) All new commercial or multifamily residential construction shall include designs for new dumpster pad construction or existing dumpster pad renovations to ensure the dumpster pads comply with city requirements and codes.

~~(c) Dumpster pads may only be used for the placement of city-owned dumpsters. No other dumpster, grease containers or other supplies may be placed on the dumpster pad or inside the dumpster pad enclosure.~~

~~(d) The city is not responsible for damage caused by refuse collection vehicles to any object not permitted to be on the dumpster pad or an improperly constructed dumpster pad, improperly constructed dumpster pad enclosure or malfunctioning dumpster pad enclosure gate.~~

~~(e) Availability of dumpster sizes and dumpster schedules for pick-up set forth in separate resolution.~~

~~(f) Additional or special pick-ups if requested on a short-term basis an additional charge will be made according to the fee established by separate resolution for the size container requiring the extra dump. Commercial establishments served by dumpsters which request more than ten additional pick ups per year will automatically be upgraded to the next higher level of service as determined by the director after written notification of the service change is properly notified by certified mail to the business establishment.~~

~~(g) The placement of hazardous waste, appliances, yard waste, tires, metal, building materials into a commercial municipal solid waste container or the unsafe overloading of such container shall be unlawful. It shall also be unlawful to allow the accumulation of any type of waste or litter outside the container. The municipality will not be responsible for the emptying of an overloaded dumpster or a dumpster containing unlawful contents. The removal of such items becomes the responsibility of the owner or manager of the business.~~

Sec. 15-38. Pay item procedure to be developed Yard Waste.

~~A pay item procedure will be developed which will accommodate items for pickup not covered in the standard residential or commercial monthly refuse rate and described in section 15-34, 15-35, 15-36, and 15-37. The procedure will be adopted and amended by resolution of the city commission.~~

~~(a) Yard waste must be placed at curbside by 7:00 a.m. the day of the scheduled once a week pick-up.~~

~~(b) Yard waste-leaves must be contained in 32 gallon leaf bags and not exceed weight limit of fifty (50) pounds.~~

~~(c) All municipal loose yard waste not placed in bags shall be stacked neatly at curbside for collection must be no longer than 4 foot limb length and 6 inches in diameter. This debris must be away from guy wires, overhead wires and cables, overhanging tree limbs, mailboxes, fences, meter covers, telephone~~

boxes, utility poles or other obstructions which would impair efficient pickup and removal.

(d) When operational, residents may utilize the municipal wood waste facility for yard trimmings and limb debris during advertised hours of operation.

(e) Collectors shall not be required to enter contained areas such as fences, locked gates or lift loose or bagged yard waste over these obstructions.

(f) Yard waste shall not be set at curbside for longer than three (3) days prior to your scheduled pick-up day.

Sec. 15-39. Recycling Tires and rims and White Goods.

~~(a) Recycling is offered on a city-wide, non-mandatory basis. Original recycling items are as follows:~~

~~(1) Newspaper:~~

~~(2) Tin:~~

~~(3) Clear glass:~~

~~(4) Aluminum:~~

~~(5) Motor oil:~~

~~Additional items may be added or deleted by resolution of the city commission:~~

~~(b) Recycling will be by means of neighborhood recycling stations. These stations are drive through color keyed containers clearly marked for separate recyclables:~~

~~(c) Recyclables may not be mixed and it is unlawful to place anything in a container or on the grounds of a city recycling station other than what is clearly marked on the containers:~~

~~(d) It is unlawful to salvage from recycling centers. All materials left at recycling centers become the property of the city:~~

~~(e) A nominal monthly service fee may be charged for set up, operation and maintenance of the recycling service centers as delineated in the refuse fee resolution:~~

(a) Fees assessed for removal of tires, rims and white goods will be based on current fees assessed to the city for disposal with a ten percent handling fee.

To ensure timely removal contact main office of municipality.

(b) Any items placed at curbside in the city's right of way shall be picked up and disposed of by the City. The charge will be placed on the customer's utility bill. If there is no active utility account the responsibility or obligation for payment then becomes that of the property owner. The service fee to dispose of the items covered under this section set forth in separate resolution.

(c) All airtight units shall have the doors removed prior to placing at curbside for collection. Refrigerators, freezers, air conditioner or any other appliances or white goods containing refrigerants will be considered special waste and may incur additional surcharges.

(d) Refuse of this type is not permitted to remain at curbside for longer than five (5) calendar days.

Sec. 15-40. Pay item procedure enumerated. Enforcement of delinquent garbage and trash collection charges.

(a) Initiation:

1. Either resident calls city hall requesting an estimate; or
2. A pay-item pile is noticed and location is relayed to city hall which attempts to contact resident.

(b) Estimate criteria:

1. An estimate is generated based on the criteria set forth in the refuse fee resolution.
2. Other refuse will be billed based on estimated weight in pounds. The formula for the charge per pound will be set in the refuse fee resolution.
3. After the estimate has been developed the public works employee will fill out an official estimate form with a city utility technician and personally relay the estimate to the resident, explaining the charge as necessary.
4. The resident can reject the estimate and contact a private hauler permitted to do business in the city as long as the waste disposed [off] according to the state and county law and ordinances. This pickup must be accomplished within three days of the estimate contact for health and safety reasons.
5. If the resident accepts the estimate for the pickup, he/she must sign the work order to authorize the work performed and the subsequent billing.
6. The utility department will then arrange with the public works director

~~or his designee a scheduled time for the pickup.~~

- ~~7. After the pickup has taken place the public works director or his designee will sign off on the work completed portion of the work order.~~
- ~~8. The utility technician will then enter the extra charge into the "other charges" portion of the computer billed account to be paid at the same time as the rest of the utility bill. In no case is the customer to be charged more than the estimate for the refuse picked up.~~

~~Sec. 15-41. Fees.~~

~~All fees payable pursuant to this article shall be set by resolution, and shall be amended as set by city commission from time to time.~~

Sec. 15-412. Enforcement of delinquent garbage and trash collection charges.

- (a) The city shall have a lien against the property from which garbage and trash is collected to enforce payment of delinquent garbage and trash collection charges.
- (b) The city shall have the right to seek collection of the garbage and trash collection charges in a court of law or through any other legal means. In the alternative, the city shall have the right to enforce the lien.
- (c) In any action filed by the city for enforcement of the lien or collection of trash and garbage fees, the city shall have the right to reasonable attorney's fees and costs.

Sec. 15-423. Extension of solid waste and garbage disposal services to five-mile area around city.

- (a) As used in this section, the following words and terms shall have the following meanings:

Available means the city has sufficient resources available to extend its garbage collection and disposal services within 120 days after city services are available.
- (b) *Purpose.* The purpose of this section is to mandate use of municipal owned garbage collection and disposal services within 120 days after city services are available.
- (c) *Authority.* The authority for this section is derived from F.S. ch. 180.
- (d) *Area embraced and zone created.*
- (1) This section shall be in full force and effect throughout a zone extending five miles in every direction from the corporate limits of the city.

- (2) Mandatory use of city services. When a mandated garbage collection and disposal system is extended outside the incorporated boundaries of the city garbage collection and disposal, all existing areas on real property outside the incorporated boundaries of the city are required to use the city's services within 120 days after such services are made available. All ordinances, rules and regulations governing the services shall govern the services as extended outside the incorporated boundaries of the city.
- (e) *Extension of services not mandated.* Nothing in this section shall be construed to mandate extension of the city's services. The decision to extend the services rests in the sound discretion of the city commission.
- (f) *Rights.* The city reserves the right it is discretion to charge reasonable fees for use of city services and to impose rates, fees and charges in accordance with F.S. § 180.191.

Sec. 15-43. Prohibited Acts.

- (1) To place or cause to be placed any municipal solid waste or yard waste upon the property of another without the written permission of the property owner and the department.
- (2) To place municipal solid waste in plastic bags only without depositing such bags in a residential or commercial municipal solid waste container.
- (3) To commingle any municipal solid waste or non-biodegradable material with yard waste.
- (4) To place or store municipal solid waste on any property for a period of more than seven (7) days. With the exception of official holidays, which may interrupt the normal seven-day collection cycle, in which case collection may be postponed to the next working day or when severe weather or "Acts of God" make it impossible for the municipal solid waste collector to perform collection services using normal collection equipment.
- (5) To deposit any hazardous or bio-hazardous waste in any residential, commercial or roll off containers issued by the city.
- (6) To overload a residential or commercial municipal solid waste container so that it cannot be safely handled by automated or semi-automated equipment.
- (7) To block or prevent access to a residential or commercial solid waste container such that it cannot be collected by automated equipment at any time during normal collection hours.
- (8) No person shall burn, or bury any material or municipal solid waste, openly

or within any pit or container of any fashion within the limits of the city.

(9) Littering, to throw, discard or deposit debris in any manner or amount. Littering and dumping adversely affects the attractiveness, public health, safety and welfare of the community for its residents and visitors.

(10) Cause, maintain, permit or allow the accumulation of any litter on any construction or building site before, during or after completion of said construction or building. It shall be the duty of the owner, or his agent, of the property in question to make adequate provision for the disposing of litter and to have on the construction or building site adequate facilities for the disposing of said litter and municipal solid waste and to make appropriate arrangements for the collection thereof.

(11) No person shall obstruct access to any privately owned or leased, or city-owned automated collection container, which has been made ready for collection by the city. Should such an obstruction be caused by but not limited to, the placement of a truck, automobile, trailer, or any other type vehicle or object the director may cause the removal of the obstructing vehicle or object from the street, sidewalks, alleys or public grounds at the owner's expense.

Sec. 15-44. Special Exception to Curbside Placement Requirement for Handicapped Customers.

(a) The Director may authorize the continued collection of municipal solid waste from front property entry only upon finding the following condition:

No one living in the household from which the municipal solid waste is generated is able to physically move the refuse container from the house to the street right of way.

(b) In such a case a written request for special exception must be submitted to the City along with a sworn statement of a physician attesting to the customer's incapacity. There shall be departmental verification that no other member of the household exists that can perform this function.

(c) Approval from the City Manager or Director shall be made on a case-by-case basis.

(d) If the customer is approved for this special exception, a surcharge shall be added to the normal monthly bill. The surcharge shall be set by separate resolution.

SECTION 3. Ordinance numbers 254, 394 and 402, are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase of this ordinance, or any particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5. This ordinance shall take effect immediately upon its final adoption by the City Commission

PASSED AND ORDAINED this ____ day of _____, 2009, by the City Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: _____
Joseph Jacobs, City Clerk

Ed Wolf, Mayor

First Reading: _____

Second Reading: _____

Approved as to form:

Jerri A. Blair
City Attorney

C:\Documents and Settings\User\My Documents\AAA-LISA DOCS\COW-LAP\ord\ords\Ord.O2010-01.amending refuse.2.09.10.wpd

**CITY OF WILDWOOD
EXECUTIVE SUMMARY**

1. b) PUBLIC HEARINGS - Ordinance No. 02010-06, an ordinance providing specificity of when base rates apply to development

SUBJECT: Ordinance # 02010-06 – Application of Base Rates

REQUESTED ACTION: Staff Recommends Approval

☐ Work Session (Report Only)

DATE OF MEETING:

3/08/10

☒ Regular Meeting

☐ Special Meeting

CONTRACT: ☐ N/A

Vendor/Entity: _____

Effective Date: _____

Termination Date: _____

Managing Division / Dept: _____

BUDGET IMPACT: \$0

☒ Annual

FUNDING SOURCE: _____

☐ Capital

EXPENDITURE ACCOUNT: _____

☐ N/A

HISTORY/FACTS/ISSUES:

Mayor and Commission,

This ordinance creates more specificity of when base rates apply to development. Prior to this ordinance, the base rate for both water and wastewater applied once a meter was set. This generality created some issues specifically with multi family and commercial projects. For these types of developments, they will not be assessed a wastewater base rate until their lift stations are cleared and/or a tie-in is achieved.

ORDINANCE NO. O2010-06

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA,
AMENDING SECTION 19-30, CITY OF WILDWOOD CODE;
PROVIDING FOR APPLICATION OF BASE UTILITY RATES;
PROVIDING FOR CONFLICT; AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, pursuant to Section 19-30, City of Wildwood Code, and Ordinance numbers 212 and 303, the City of Wildwood City Commission has the authority to collect user rates and fees for utilities; and,

WHEREAS, the City of Wildwood staff has determined that there is a need to clarify when base rates become applicable to customers for water and wastewater service.

NOW THEREFORE, BE IT ORDNATED BY THE CITY COMMISSION OF WILDWOOD THAT:

SECTION 1. Section 19-30, City of Wildwood Code, is amended as follows (cross-throughs indicate deletions and underlines indicate additions):

Section 19-30. Rates.

- (a) *User fees.* Charges to users of city water and/or sewer services for such service shall be in such amounts as are set pursuant to this article by schedule duly adopted by the city commission at any regular or special meeting of the commission after due notice thereof by the unusual agenda notice. Such schedule may be adopted and amended by the city commission upon motion duly made, after notice as above, and shall be signed by the mayor and attested by the city clerk. Copies thereof shall be on file in the office of the city clerk, available for inspection by the public during usual business hours. Base rates shall become applicable as follows:

- (1) Single Family Residential: Base rate is assessed for both water and wastewater once meter is set.
- (2) Multi Family Developments: Base rate is assessed for water once meter is set and wastewater once lift station is cleared and permitted to operate. (If tie in is made to existing cleared and permitted lift station, base rate is assessed once meter is set.)
- (3) Commercial Developments: Base rate is assessed for water once meter is set and wastewater once lift station

is cleared and permitted to operate. (If tie in is made to existing cleared and permitted lift station, base rate is assessed once meter is set.)

SECTION 2. If any section, subsection, sentence, clause, phrase of this ordinance, or any particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 3. This ordinance shall take effect immediately upon its final adoption by the City Commission

PASSED AND ORDAINED this ____ day of _____, 2010, by the City Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: _____
Joseph Jacobs, City Clerk

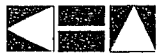
Ed Wolf, Mayor

First Reading: _____

Second Reading: _____

Approved as to form:

Jerri A. Blair
City Attorney



Memorandum

■
Suite 101
1321 SE 25th Loop
Ocala, Florida
34471

To: Mr. David Grimm, City of Wildwood

From: M. Lewis Bryant, PE

Date: July 27, 2009

Re: ***City of Wildwood Lift Station Emergency Power Policy;
City of Wildwood, Florida
KHA Project No. 142173000***

In July 2009, the City of Wildwood (City) requested Kimley-Horn and Associates, Inc. (KHA) to make a recommendation on the City's sanitary sewer lift station emergency power policy. While the Florida Department of Environmental Protection (FDEP) requires emergency power to be provided for master lift stations, the City would like to also require private developers to provide emergency power supplies for larger lift stations that do not meet the FDEP's definition of a master lift station. The following is a brief summary of the FDEP requirement and our policy recommendation.

DISCUSSION

The City of Wildwoods current lift station emergency power policy is to meet the FDEP requirement. Per Florida Administrative Code (FAC) 62-604.400, the FDEP has the following requirements regarding lift station emergency power supply:

*(a) Emergency pumping capability shall be provided for all pump stations.
Pumping capability shall be provided as follows:*

- 1. Pump stations that receive flow from one or more pump stations through a force main or pump stations discharging through pipes 12 inches or larger shall provide for uninterrupted pumping capabilities, including an in-place emergency generator.*
- 2. For pump stations not addressed in subparagraph (2)(a)1. above, emergency pumping capability may be accomplished by connection of the station to at least two independent utility substations, by providing a connection for portable or in-place engine-driven generating equipment, or by providing portable pumping equipment.*

■



3. Such emergency standby systems shall have sufficient capacity to start up and maintain the total rated running capacity of the station. Regardless of the type of emergency standby system provided, a riser from the force main with rapid connection capabilities and appropriate valving shall be provided for all pump stations to hook up portable pumps. All pump station reliability design features shall be compatible with the available temporary service power generating and pumping equipment of the authority responsible for operation and maintenance of the collection/transmission system.

Per FAC 62-604.400, lift stations that do not receive flow from one or more pump stations are not required to have an in-place emergency generator. It is our understanding that the City desires to institute a policy that would require an in-place generator for certain lift stations that do not necessarily receive wastewater from another lift station. The reason for this is that the City does not have adequate standby equipment to support the sanitary sewer collection system during a loss of power incident.

A requirement to provide in-place generators for all lift stations would meet the City's intent. However, such a requirement would be costly. Some municipalities have an in-place generator requirement that is based on total lift station pumping capacity. While that option has its merits, it would require the City to select a "one size fits all" pumping capacity. The chosen capacity could be excessively conservative or liberal depending on the circumstances. The City's policy should provide for an upper pumping capacity limit and allow the City to require in-place generators for lift stations that are "critical" to the collection system. The determination of what constitutes "critical" should be interpreted by the City. While this ambiguity may pose some confusion for developers, it allows the City more flexibility to determine what is in the best interest of the collection system as a whole.

The following language is a policy statement that, in our opinion, meets the City's intentions. It was adopted from the Marion County Land Development Code.

All lift stations shall be provided with emergency pumping capability as required by Florida Administrative Code 62-604.400. In addition, in-place emergency generators shall be provided at all wastewater pumping stations which are at critical points in the wastewater system or which have a peak design capacity of 1,000 GPM or more. Determination of pump station critical points shall be at the discretion of the City of Wildwood.

The policy statement above will help prevent future problems; however, it will not be enforceable for existing developments. As an alternative and/or additional measure, we recommend that the City seek sufficient back-up equipment for emergencies. The City should seek grant or other funding assistance to secure additional portable emergency pumping equipment and portable emergency generators. Such funding sources can come from the State appropriations, FEMA grant and loan programs, and the State water management agencies.

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA,
AMENDING SECTION 6.4 OF THE CITY OF WILDWOOD
LAND DEVELOPMENT REGULATIONS; PROVIDING FOR
EMERGENCY PUMPING CAPABILITY; PROVIDING FOR IN-
PLACE EMERGENCY GENERATORS FOR PUMPING
STATIONS AT CRITICAL POINTS OR WHICH HAVE A PEAK
DESIGN CAPACITY OF 1000 GPM OR MORE; PROVIDING
FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Wildwood has determined that there is a need to require emergency power for larger lift stations; and

WHEREAS, the Florida Department of Environmental Protection requires emergency power be provided for master lift stations; and,

WHEREAS, the City currently requires that the Florida Department of Environmental Protection requirements be met; and,

WHEREAS, because the City does not have adequate standby equipment to support the sanitary sewer collection system during a power loss. The City of Wildwood feels there is a need to require emergency generators at critical points in the wastewater system; and,

WHEREAS, the City of Wildwood, Florida, is proposing to require as follows:

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida, as follows:

SECTION 1. The City of Wildwood feels there is a need to amend Section 6.4, of the Land Development Regulations regarding emergency back-up generators for all lift stations, is amended as follows (cross throughs (-) shall indicate deletions and underlines () shall indicate additions):

Section 6.4.

- (a) All sanitary sewer manholes are to be constructed with concrete bases and have eight inch thick, 2,500 psi concrete walls. Whenever manhole depths exceed 14 feet, wall thickness to be increased to 12 inches from bottom slab up to a point 12 feet below the finished grade.
- (b) Backfill of earth under manholes will not be permitted and any excess excavation for these structures shall be filled with 2,500 psi concrete.
- (c) All sanitary sewer pipe shall be PVC, SDR-35 meeting the

requirements of ASTM D3034-73, or latest revisions, or otherwise noted on plans and approved. Sanitary sewer pipe more than ten foot in depth shall be approved by the Wildwood wastewater department and the Wildwood city engineer.

1. (c) PUBLIC HEARINGS - Ordinance No. 62-604.00, providing for emergency plumbing; generators; for pumping stations at critical points or which have a peak design capacity of 1000 GPM or more; etc.

- (d) Upon completion of each block or section of sewer, or at such other times as approved by the city, the block or section is to be cleaned, tested and inspected. Each section of sewer is to show, on examination from either end, a full circle of light between manholes. Air testing may be required if the integrity of the construction is questioned by the city wastewater department. Each manhole, or other appurtenance to the system, shall be of the specific size and form, be water tight, and neatly and substantially constructed. All repairs shown necessary by inspection are to be made, broken or cracked pipe replaced, all deposits removed and the sewers left true to line and grade, entirely clean and ready to use.
- (e) The allowable limits of infiltration, exfiltration, or leakage for the entire system, or any portion thereof, shall not exceed a rate of 50 gallons per inch of diameter per mile of pipe per 24 hours. The allowable limits of infiltration or exfiltration of manholes shall not exceed a rate of two gallons per manhole per 24 hours.
- (f) All connections shall have appropriate interceptors when required by the city.
- (g) New or rehabilitated lift stations must meet the city electrical requirements as to type and number of panels. Flyte, ABS, Hydromatic submersible pumps or equal, approved by the city, may be installed.
- (h) All lift stations shall be provided with emergency pumping capability as required by Florida Administrative Code 62-604.400. In addition, in-place emergency generators shall be provided at all wastewater pumping stations which are at critical points in the wastewater system or which have a peak design capacity of 1,000 GPM or more. Determination of pump station critical points shall be at the discretion of the City of Wildwood.

SECTION 2. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 3. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said Ordinance.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its

final adoption by the City Commission.

1. (c) PUBLIC HEARINGS – Ordinance No. O2010-07,
providing for emergency plumbing; generators; for pumping
stations at critical points or which have a peak design
capacity of 1000 GPM or more; etc.

PASSED AND ORDAINED this ____ day of _____, 2009, by the City
Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: _____
Joseph Jacobs, City Clerk

Ed Wolf, Mayor

First Reading: _____
Second Reading: _____

Approved as to form:

Jerri A. Blair, City Attorney

C:\Documents and Settings\User\My Documents\AAA-LISA DOCS\COW-LAP\ord\ords\Ord._____.amending section 6.4.g..LDR.wpd

**CITY OF WILDWOOD
PLANNING & ZONING BOARD/SPECIAL MASTER
RECOMMENDATIONS**

The case below was heard on Tuesday, March 2, 2010, by the Special Magistrate. The applicant seeks final approval from the City Commission for the rezoning from County PUD to City PUD (Planned Unit Development) as outlined in the proposed PUD Ordinance.

Case: RZ 2010-03-02

Owner: Parkwood Sumter Properties

Applicant: Richey & Cooney

Property Location: CR 466 and CR 101

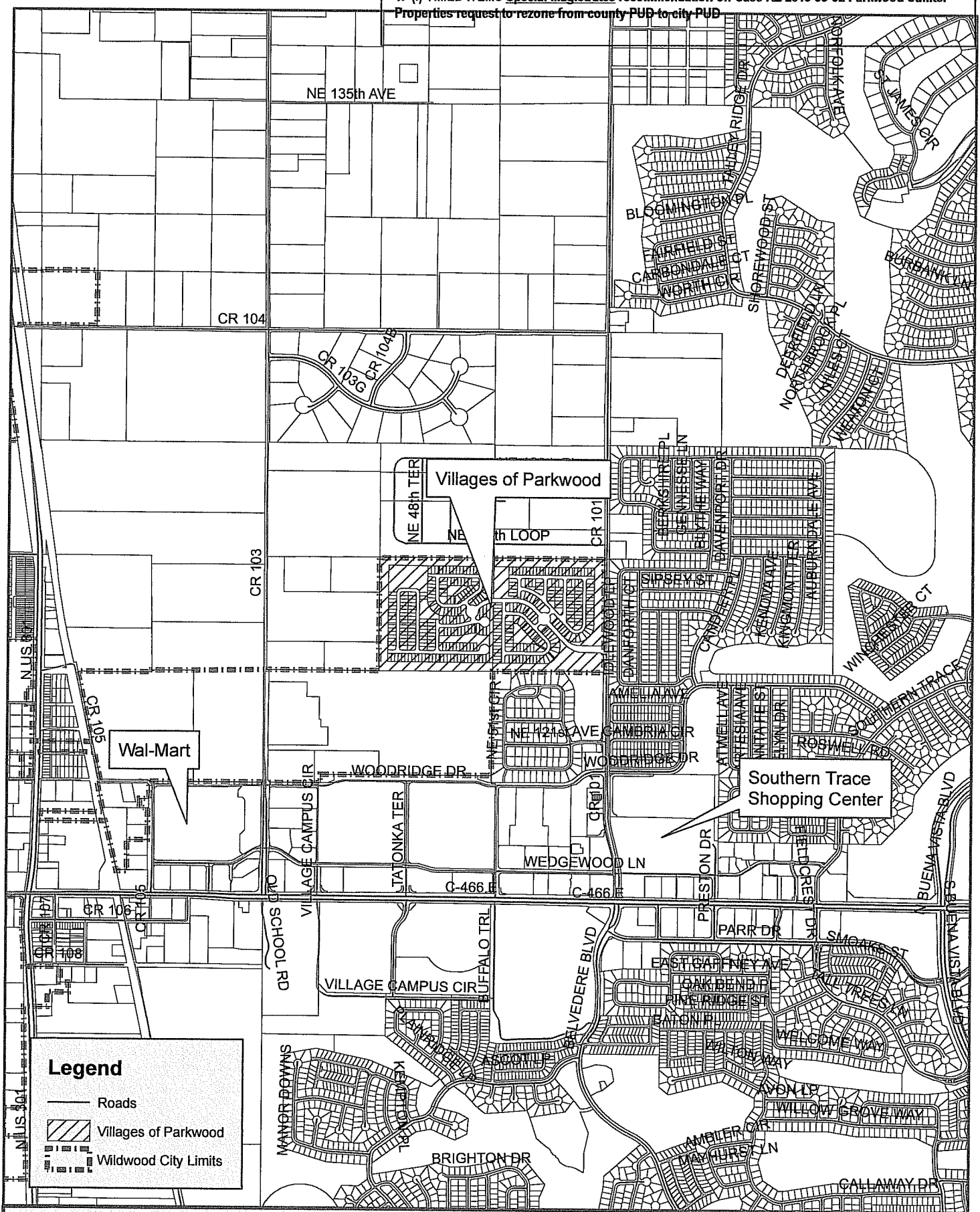
Based upon the information and testimony provided and the criteria listed in Section 3.3 of the City's Land Development Regulations, the Special Magistrate recommends approval of the modifications to the Parkwood PUD, specifically, the allowance of zero rear lot lines for accessory structures on those lots abutting retention areas or open space areas and a reduction of the rear lot line from 25' to 15' on those lots abutting NE 123rd Trail. Applicable lots are those listed in the proposed PUD Ordinance.

As the developer is requesting a change to an existing, partially constructed development and lots within the development have already been purchased, the Special Magistrate recommends that the Commission consider any potential impacts the requested change may have on existing property owners.

Dated: _____

PROPOSED

Archie O. Lowry, Jr.
Special Master
City of Wildwood



Legend

- Roads
- ▨ Villages of Parkwood
- ▤ Wildwood City Limits



1 inch = 1,500 feet

**City of Wildwood, Florida
Villages of Parkwood**



***E5 solutions extends special appreciation
to our early Steering Committee members:***

Russ Sloan, Lake-Sumter Community College
 Rev. James Rockey, Sumter County Ministerial Association
 Randall Thomas, Esq., Sumter County Bar Association
 Vince Ruano, City Manager, City of Bushnell
 Ralph Ross, U.S. Small Business Administration
 Larry Strickler, Workforce Central Florida
 James Spencer, Small Business Development Center
 Mary Hatcher, Esq., Sumter County Bar Association
 John Stevenson, Edwards Construction Services
 James Wade III, Esq., Sumter County Economic Development Council
 Mary Jane Stanley, Sumter County Economic Development Council
 George Norton, Norton Consulting
 Gayle Teerman, SCORE
 Lee Ann Carr, Sumter County Chamber of Commerce

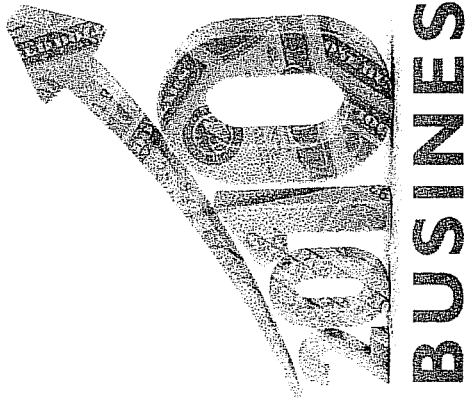
Powered by **e solutions**^{inc.}

Executive Team:

Rick Dodge President rick@e5solutions.biz - 352.446.4679	Rich Hickman Vice President, Marketing rich@e5solutions.biz - 727.215.6044
Rev. John Joseph, Esq. General Counsel john@e5solutions.biz - 727.410.7215.	Christy Smiley Vice President, Project Management christy@e5solutions.biz - 727.642.7718
Doug Smiley Vice President, Business Development doug@e5solutions.biz - 727.492.7477	Zachary Dodge Business Outreach Coordinator zachary@e5solutions.biz - 352.446.7217

1576 Bella Cruz Drive, Suite 409
 The Villages, Florida, 32159
 phone/fax 888.857.5784

www.e5solutions.biz



e solutions

**SUMTER
COUNTY
BUSINESS SUMMIT**

2010

RESOURCE DIRECTOR

2. REPORTS & PUBLIC INPUT:
 SPECIAL PRESENTATION No. 1: Quarterly update from
 E5 Solutions (Rick Dodge ref. Economic Development in

Jim Allen, Director of Facilities, Sumter County School System
allenj@sumter.k12.fl.us - 352.793.231

Bradley Arnold, Sumter County Administrator
bradley.arnold@sumtercountyfl.gov - 352.793.0200
www.sumtercountyfl.com

Ken Banks, KAB Marketing
ken@kenbanks.com - 727.515.1932
www.kenbanks.com

Lee Ann Carr, Executive Director, Sumter County Chamber of Commerce
director@sumterchamber.org - 352.793.3099
www.sumterchamber.org

Liefke Cox, Director, Partner Relations, Enterprise Florida
lcox@eflora.com - 407.956.5688
www.eflora.com

Doug Gilpin, Chairman, Sumter County Commission
doug.gilpin@sumtercountyfl.gov - 352.793.0200
www.sumtercounty.com

Janice Lee, Contract Specialist, Coleman Federal Prison
j11lee@bop.gov, 352.689.3160

Andy Mansukhani, Associate Warden, Coleman Federal Prison
axmansukhani@bop.gov - 352.689.4005

Debbie Moffitt, Senior Director, Sumter County School System
deborah.moffitt@sumter.k12.fl.us - 352.793.2315 x260

Rick Reeves, Counselor, SCORE Chapter 440
seveer2cnr@aol.com - 352.430.2184
www.score440.org

Rev. James Rocky, Pastor, Amazing Grace Lutheran Church, and
President, Sumter County Ministerial Association
amazinggracelc@yahoo.com - 352.748.1201

Ralph Ross, Deputy District Director, Small Business Administration
ralph.ross@sba.gov - 904.443.1907
www.sba.gov/fl/north

Vince Ruano, Bushnell City Manager
vruano@cityofbushnell.com - 352.793.2591
www.cityofbushnell.com

Russ Sloan, Director, Business Resources Center
Lake-Sumter Community College
sloanr@lsc.edu - 352.435.5031
www.businessresourcescenter.org

Michael Schiffhauer, Director, Field Operations & European Trade
Development, Enterprise Florida
mschiffhauer@eflora.com - 407.956.5634
www.eflora.com

Robert Smith, Wildwood City Manager
rsmith-wildwood@cfl.mcom - 352.330.1330.
www.wildwood-fl.gov

James Spencer, Area Manager, Small Business Development Center
jspencer@bus.ucf.edu - 407.366.3132
www.floridasbdc.com

Larry Strickler, Sr. VP, Public Affairs Workforce Central Florida
lstrickler@wcfcla.com - 407.531.1222 x2038
www.workforcecentralflorida.com

Gayle Teerman, Counselor, SCORE Chapter 414
gmtscore@score414.org - 352.589.2250 x149
www.score414.org

TELL US, WE'RE LISTENING!

SUMTER BUSINESS SURVEY - 2010

The Sumter Business Survey is a printed information solicitation questionnaire to be mailed to each of the county's approximately 3,000 businesses. Most survey questions are multiple-choice and cover a full range of issues that affect the performance of business enterprise throughout Sumter.

The primary purpose of the Sumter Business Survey is to obtain countywide opinions and viewpoints about doing business in the county, now and in the future. It will gather reactions to existing policies and conditions, whether negative or positive. Survey participants will remain anonymous, with each individual response merged with all others to identify overall countywide values.

The survey will be compiled, formatted and distributed in a professional manner throughout the county beginning approximately December 15, 2009, with a published mandatory return date of January 31, 2010. Survey mail packets will include a self-addressed return envelope for ease of response.

Responses and final results of the Sumter Survey will play a crucial role in guiding Sumter County Economic Development in designing and implementing a program that meets the expressed needs of Sumter's business partners. Interpretation and application of the results provide a foundation on which to base revised services and development activities, which assure improved business performance. An in-depth understanding of Sumter's business climate is necessary for us to successfully emerge from the current distressed economic conditions.

The survey's results are multi-purpose. The final conclusions will be a key focal interest and discussion during the forthcoming Sumter Economic Summit, and. production of the economic development Strategic Plan will be guided by and based on the survey's conclusions. The Strategic Plan is critical, as it will define county business development for the next few years.

Survey promotional and media information will be distributed in a timely fashion, prior to and throughout the response period. Businesses will be encouraged to learn about the survey, its purpose and importance. And most of all, encouraged to watch for it in the mail, and to please --

TELL US, WE'RE LISTENING!

**THE
WINNING TICKET**

10 Ways to Improve Your Business in Tough Times

COME REDEEM AT THE

SUMTER COUNTY BUSINESS SUMMIT

March 11th, 2010 9:00am - 3:00pm
Wildwood Community Center
6500 CR 139, Wildwood, FL 34785

Register at www.sumterbusiness.com

742126

742126

Agenda

- 9:00am - 9:30am: **Registration, choosing of priorities, networking and coffee**
- 9:30am - 9:50am: **Welcome/Pledge:** Doug Gilpin, Chairman, Sumter County Commission
Invocation: Rev. James Rockey, President, Sumter County Ministerial Association
Orientation: Rick Dodge, President, E5solutions, Inc.
- 9:55am - 10:40am: **10 Ways to Improve Your Business in Tough Times**
Session Host: **Rich Hickman**, Vice President, Marketing, E5 Solutions, Inc.
Keynote Presentation - **Ken Banks**, KAB Marketing
- 10:45am -11:20am: **Where's the Help? Our State Public-Private Partner**
Session Host, **Rev. John Joseph, Esq.**, General Counsel, E5 Solutions, Inc.
The amazing range of Enterprise Florida Services,
Liefke Cox, Director of Partner Relations, eFlorida
Michael Schiffhauer, Director, Field Operations & European Trade Development, eFlorida
- 11:25am - 12:00pm: **How to Do Business with Government**
Session Host, **Bradley Arnold**, Sumter County Administrator
Andy Mansukhani, Associate Warden, Coleman Federal Prison
Janice Lee, Contract Specialist, Coleman Federal Prison
Debbie Moffitt, Senior Director, Sumter County School System
Jim Allen, Director of Facilities, Sumter County School System
Vince Ruano, City Manager, City of Bushnell
Robert Smith, City Manager, City of Wildwood
- 12:00pm - 12:05pm: **Special Award Presentation**
- 12:00pm - 1:00pm: **"At Work" Bag Lunches**
Luncheon Host, **Christy Smiley**, Vice President, Project Management, E5 Solutions, Inc.
Networking conversations and community recognition – like speed dating with business solutions!
- 1:05pm - 1:50pm: **Here's More Help! Answers from our Local Resource Partners**
Session Host, **Russ Sloan**, Director, Business Resources Center, Lake-Sumter Comm. College
Lee Ann Carr, Executive Director, Sumter County Chamber of Commerce
Gayle Teerman, Counselor, SCORE (Service Corp of Retired Executives)
Rick Reeves, Counselor, SCORE
Russ Sloan, Lake-Sumter Community College
- 1:55pm - 2:40pm: **Business Tools from State & National Partners**
Session Host, **Doug Smiley**, Vice President, Business Development, E5 Solutions, Inc.
Specialists from the SBA, Small Business Development Center and Workforce Central Florida
Ralph Ross, Deputy District Director, U.S. Small Business Administration (SBA)
James Spencer, Area Manager, Small Business Development Center (SBDC)
Larry Strickler, Sr. Vice President, Public Affairs, Workforce Central Florida
- 2:45pm - 3:30pm: **Leveraging Technology & Social Media @ Work**
Session Host, **Zachary Dodge**, Business Outreach Coordinator, E5 Solutions, Inc.
Doug Smiley, Vice President Business Development, E5 Solutions
Liefke Cox, Director of Partner Relations, Enterprise Florida
- 3:30pm -3:40pm: **Are We There Yet? Where do we go from here?**
Rick Dodge, President, E5solutions, Inc.
Summit Evaluation and preview of the 2010 Sumter County Business Assistance and Tourism Survey
Benediction: **Rev. John Joseph, Esq.**, General Counsel, E5 Solutions, Inc.

Every effort has been made to ensure that the information expressed is accurate; however, E5 Solutions, Inc. makes no warranties (expressed or implied) of any kind with respect to any material, business advice or recommendations expressed. Attendee should therefore exercise their own independent skill and judgment before relying on or entering into a business transaction with another. In any important matter independent professional advice should be sought.

FOR IMMEDIATE RELEASE

Contact: Rich Hickman, E5, 727-215-6044

NATIONAL BUSINESS MARKETING EXPERT TO KICK-OFF SUMTER BUSINESS SUMMIT

WILDWOOD, FL (March 4, 2010) – The Sumter County Business Summit will present nationally recognized business marketing wizard, Ken Banks of KAB Marketing, as lead-off educator for the March 11 event in Wildwood. Banks' presentation, **"10 Ways to Improve Your Business in Tough Times,"** is being custom-designed to deliver special help for Sumter's businesses struggling to meet the demands of today's economy. Banks brings a record of success, with credits from the Newspaper Association of America, General Motors, Media General, University of Florida, National Retail Federation and many more. He is also former president of PetsMart Charities and Chairman of All Children's Hospital Foundation. Mr. Banks will also be available during the day to offer personal advice.

The Sumter Business Summit is being produced by e5solutions, Inc., which serves as Sumter County Economic Development. The day-long program will take place on Thursday, March 11, at the Wildwood Community Center. A wide range of business services representatives will participate, including the SBA, Enterprise Florida, Workforce Central Florida, Small Business Development Center, SCORE, banking representatives, Sumter city and county purchasing departments, Sumter Chamber of Commerce and Lake-Sumter Community College.

According to Rick Dodge, President of E5solutions, "in meeting with businesses throughout Sumter, it became evident that a basic 'services available' information effort was required to let business people know what services are currently available to them, and how to access the help." Sumter County Commissioner Don Burgess said, "our challenge is not just working toward what the county wants in terms of new businesses, but it's important to appreciate the businesses we have...we need to support the ones that are already here."

To help support existing businesses, the Summit is designed to provide networking opportunities, to learn of special business concerns and to share basic promotional and technical information which may help those in real need. The Summit program will provide one-on-one, face-to-face "problem/solution" opportunities, with solving of business problems the primary goal.

The Summit is as economical as possible, charging only \$25 to register (only \$20 in advance), which includes a working "bag lunch" w/drink. To register in advance online, go to www.sumterbusiness.com, or call 1-888-857-5784. Payment in cash or check at the door upon arrival. The Summit time is 9:00 am to 3:30 pm, March 11. The Wildwood Community Center is located at 6500 CR 139

###

Sumter County “Enterpriser of the Year”

The “Enterpriser of the Year” award is presented annually at the Sumter County Business Summit to honor and recognize superior business leaders. Business leaders with long-term success and contributions to the community make them role models. Award Recipients meet the following criteria;

- 1. Award Recipient has owned or operated a successful business enterprise over a long period of time in Sumter County. Their business enterprise and their leadership have met the highest standards of business achievement and business ethics.**
- 2. Award Recipient has demonstrated major leadership in civic responsibilities during their career, including but not limited to leadership positions on nonprofit or political bodies and willingness to provide resources to advance the educational, recreational and/or social opportunities for the community at large.**
- 3. Award Recipient must represent the highest moral and ethical principles in both their professional and personal dealings.**
- 4. Mark Twain said over 100 years ago “we make our living by what we get, but we make our life by what we give.” An Award Recipient must have created employment opportunities for individuals and also provided leadership and charitable opportunities to make life better for all citizens in Sumter County.**



FOR IMMEDIATE RELEASE

Contact: Rick Dodge, 352-446-4679

TERRY & GLENDORA YODER NAMED SUMTER “ENTERPRISERS OF THE YEAR”

WILDWOOD, FL (March 11, 2010) – In recognition of their significant impact, E5solutions, Inc., today honored Glendora L. Yoder and Terry D. Yoder, long-time important contributors to the Sumter County economy, as Sumter County’s “Enterprisers of the Year.” E5solutions, which serves as Sumter County Economic Development, selected Glendora and Terry Yoder of Wildwood, for their long, distinguished and highly successful business leadership, commitment and innovation.

In naming the Yoders’, Rick Dodge, e5’s president, said “both Mr. and Mrs. Yoder stand as Sumter County corporate giants, employing up to 600 workers in their multiple Sumter County companies. Without business pillars like Terry and Glendora, hundreds of families in this economy would be without, and both Terry and Glendora are proud and grateful to be able to make this community contribution and provide hundreds of jobs for great employees.”

Terry Yoder, in responding to the award, said “we’re proud of this honor and the core values our enterprise represents. We both hope to help every hard-working business person in Sumter become “Enterprisers of the Year.”

The Enterprisers-of-the-Year presentation was made during Sumter’s first-ever day-long business summit, which featured nationally noted keynoter, Ken Banks of KAB Marketing, who led off the day’s program with “10 Ways to Improve Your Business in Tough Times.” National and state service providers and problem solvers followed, representing such agencies as Enterprise Florida, the SBA, SCORE, Workforce Central Florida, Small Business Development Center, Lake-Sumter Community College and Sumter Chamber of Commerce.

Doug Gilpin, Sumter County Commission Chairman, said “bringing together these kinds of business services is vitally important and will help lead us forward. Sumter County is showing the way to a brighter and quicker business recovery.”

###

Tips, Trends & Friends



March 8, 2010

www.sumterbusiness.com

Issue No. 3

LOOK FOR THE 2010 SUMTER COUNTY BUSINESS & TOURISM ASSISTANCE SURVEY! This is Sumter's opportunity to speak in unison with your opinions and it's our opportunity to hear you and build your combined opinions into "a new Sumter economy," one that works hard to make life better for you and your family and all of our businesses. That may sound like a stretch, but we're sure you agree that right now no one knows what together we are all thinking or needing, and what together we can try to do about it, to make life more livable for each of us. If you didn't get your survey form yet, please email us at survey@sumterbusiness.com, or call 888-857-5784.

DID YOU KNOW SUMTER COUNTY IS PART OF FLORIDA'S HIGH TECH CORRIDOR? This makes the High Tech Corridor Council an information and service resource for businesses in Sumter County. The Corridor mission is to attract high tech industry and skilled workforce support within their 23 county membership region. The region is comprised of the service areas of three universities, UCF, USF and UF. All three universities are active partners in developing and attracting technology capabilities and workforce skills within the High Tech area. Check their programs and services on the web, www.FloridaHighTech.com. See two special programs, www.growFL.com (helpful for medium size businesses), and www.floridavirtualentrepreneur.com for start-ups. Watch for more tips in future TT&F newsletters.

DOES ANYBODY REALLY CARE ABOUT YOU & YOUR BUSINESS PROBLEMS? YES! When you sign in at the March 11 business Summit in Wildwood, you will be asked to do two things - ONE: select and check from a wide range of posted issues up to three of them that most interest you, and, TWO: indicate anonymously on a place-card, in confidence, your biggest business problem or concern. Cards will be collected and reviewed, and your problem will be addressed, personally or publicly, during the day's proceedings by a person most directly related to your issue. If you didn't notice before,

please notice now, the whole day costs only \$25 dollars (\$20 if you register in advance!) and that includes lunch, drink, and coffee, too. Where else can you get a full day of help, with lunch, for only \$20? **WE DO CARE!** Register now online at www.sumterbusiness.com, or call 1-888-857-5784. **LUNCH INCLUDED!!**

BUSHNELL IS SHOVEL-READY! The City of Bushnell will soon reveal a new, eye-popping business-site sales brochure, headlined, "WE'RE BUSHNELL!! DOWN HOME AND PROGRESS READY, and here they are, Bushnell's top new business site discoveries!" The brochure will graphically highlight four convenient commercial and industrial sites, not only "ready for your business," but also accompanied by Bushnell's down home charm, quality of life and caring, attentive personnel. "Like an uncut precious stone, it's all here for you to tap." According to City Manager Vince Ruano, "we've got the shovels, and we're ready!" For more of Bushnell, visit www.cityofbushnellfl.com.

ANOTHER 10-STRIKE FOR SUMTER FROM T & D COMPANY'S TERRY YODER! A brand new central distribution warehouse is about to officially open and begin to fulfill its primary purpose, distributing vinyl siding to construction sites throughout Sumter and beyond, with a special service focus to The Villages. The new 30,000 sq ft high quality facility is in Wildwood Industrial Park and is already receiving large truck deliveries from national manufacturers, and delivering product countywide. Mr. Yoder said "this service facility is a prime advantage to Sumter's economy, and is expected to grow rapidly along with all building construction as the economy revives. We are working hard and smart to benefit our county and our many dedicated employees."

SCORE WILL SCORE WITH US at the business summit on March 11. There, two SCORE counselors will share their expertise with attendees throughout the day. Both Mr. Gayle Teerman, Counselor and office manager of Lake-Sumter

SCORE Chapter 414, and Mr. Rick Reeves, Chair of SCORE Chapter 440, which encompasses The Villages, Marion and Putnam counties, will offer wisdom and advice. Mr. Teerman, with long experience in manufacturing, has developed an on-going small business educational series offered at Lake-Sumter Community College. Mr. Reeves, with many years in broadcasting, marketing and community public relations, has developed a community roundtable series to solve business issues. Mr. Teerman's phone is 352-589-2250x149, and Mr. Reeves, 352-430-2184.

HURRY & WAIT! SBA'S PRIME 7(a) LOANS EXTENDED, BUT ONLY 'TIL MARCH 28 - \$60 million for the 90% guaranteed (up from the usual 75%) small business loans was made available through a Temporary Extension Act signed into law this week following House and Senate approval, although if you're applying, prepare to stand in line, as 579 loan applications totaling \$231 million are in line ahead of you! An extension effort is being planned. Discuss this with SBA's representative during our Sumter Business Summit on March 11 in Wildwood.

"10 WAYS TO IMPROVE YOUR BUSINESS IN TOUGH TIMES," is the winning message nationally acclaimed business marketing wizard, Ken Banks, will deliver at the SUMTER BUSINESS SUMMIT, 9:00 am to 3:30 pm, Thursday, March 11, at the Wildwood Community Center. His "10 Ways" kick-off presentation is custom-designed to help Sumter's businesses in today's economy. Banks is in wide demand, with credits from the Newspaper Association of America, General Motors, Media General, University of Florida, and many more. He is former president of PetsMart Charities and Chairman of all Children's Hospital Foundation. To register now (only \$20 in advance, including lunch, paid at the door), go to www.sumterbusiness.com or call 1-888-857-5784. Be a part of Ken Banks' Winning Message!

PROCLAMATION

WHEREAS, Cynthia "Cindy" Jones has served the City of Wildwood and it's residents as a dedicated employee of the City of Wildwood for the past fifteen years; and

WHEREAS, said service was provided with commitment and devotion in the best interest of the City, County, and Community as a whole; and

WHEREAS, the Mayor, Commissioners, and Administration wish to express sincere appreciation to Cynthia "Cindy" Jones, on behalf of the City of Wildwood and the Community as a whole.

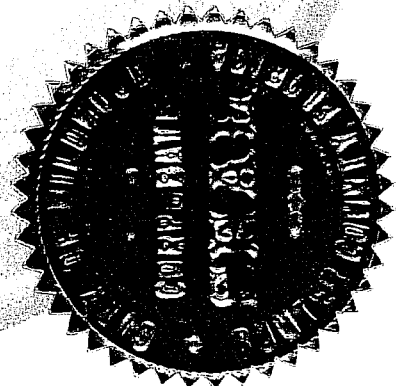
NOW, THEREFORE, we, the Mayor and City Commissioners of the City of Wildwood, Florida, do hereby proclaim that Cynthia "Cindy" Jones is hereby recognized by proclamation and a plaque.

DONE AND RESOLVED by the Mayor and City Commissioners, in regular session, this 22nd day of March, 2010.

CITY COMMISSION
CITY OF WILDWOOD FLORIDA

Ed Wolf, Mayor

ATTEST:
Joseph Jacobs, City Clerk



P R O C L A M A T I O N

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and
WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
WHEREAS, Arbor Day is now observed throughout the nation and the world, and
WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and
WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and
WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community and
WHEREAS, trees are a source of joy and spiritual renewal, and
WHEREAS, The City of Wildwood has been recognized as a "Tree City USA for the 20th Year" by the National Arbor Day Foundation and desires to continue its tree-planting ways.
NOW, THEREFORE, I, Ed Wolf, Mayor of the City of Wildwood, do hereby proclaim Friday, April 23rd, 2010 as

A R B O R D A Y

In The City of Wildwood, and I urge all citizens to support efforts to care for our trees and woodlands and to support the City's community forestry program, and

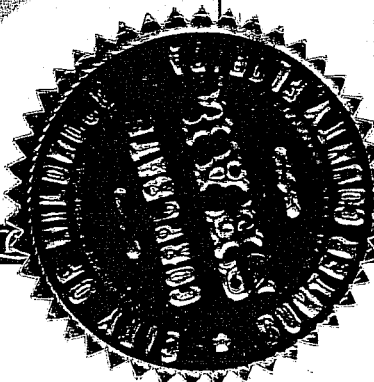
FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the wellbeing of present and future generations.

Proclaimed this 22nd day of March 2010

Joseph Jacobs, City Clerk

Ed Wolf, Mayor

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA



2. REPORTS AND PUBLIC INPUT(Attachments)

- **SPECIAL PRESENTATION (1):** Quarterly update from E5 Solutions (Rick Dodge ref. Economic Development in Sumter County) (Attachments)
- **SPECIAL PRESENTATION (2):** City Employee Recognition (Attachment)
- **SPECIAL PRESENTATION (3):** Proclamation declaring Friday, April 23rd, 2010, as Arbor Day in the COW (in conjunction with the Tree City USA commemoration (Attachment)

(a) CITY MANAGER:

NOTES:

None

REPORTS:

- f.1. Budget Analysis Report for February 2010 (Attachments)
- f.2. Thank you letter to the Sumter 44 Lions Club and Wal Mart for their contributions to the City Parks & Recreation Department (Attachments)
- f.3. FYI – Wildwood Dixie Youth League contract (Attachment)
- f.4. FYI – Friends of the Library report of “successful” book sale and request to utilize building for another on June 5th (Attachments)

(b) CITY ATTORNEY:

(1)

(c) CITY CLERK:

(1)

(d) COMMISSION MEMBERS:

(1)

(e) PUBLIC FORUM:

(1)

(f) NOTES/REPORTS/FILED ITEMS:

(1) [Refer to (a) - City Manager]

CITY OF WILDWOOD
EXECUTIVE SUMMARY

2. REPORTS & PUBLIC INPUT:
(f.1.) Budget Analysis Report for February 2010

SUBJECT: Budget Analysis Report October-February 2009-2010

REQUESTED ACTION: FYI

☐ Work Session (Report Only)

DATE OF MEETING: 3-22-10

☒ Regular Meeting

☐ Special Meeting

CONTRACT: ☐ N/A

Vendor/Entity: _____

Effective Date: _____

Termination Date: _____

Managing Division / Dept: _____

Executive

BUDGET IMPACT: N/A

☐ Annual

FUNDING SOURCE: _____

☐ Capital

EXPENDITURE ACCOUNT: _____

☒ N/A

HISTORY/FACTS/ISSUES:

Mayor and Commission,

For the major General Fund Revenue Sources we have seen a shortfall of about -\$15,568. In the last report we were down -\$10,954.04 which means we have increase the loss by \$4,703.96 from last month. General Fund Expenditures are under budget by \$13,926. Last month we were \$2,994.67 which is a difference of \$10,931.82 in expenditures savings. The net loss went from \$7,959.31 to \$1,641.51. With the cost cutting with the lack of income, the City is currently only \$1,641.51 in the red. I believe at our next analysis report the City will be operating in the black. Until we achieve that goal, as always, the Directors have been cautioned about spending and the need to work with what we have until revenues get stronger.

Enterprise Fund Revenues are up +\$19,300.97. Last month we were +\$20,219.51. Anticipated expenditures are -\$97,643.76. Last month we were -\$85,940.91 under budget. That is a net reduction of -\$11,702.85.

Regards,

Robert Smith

General Fund Expenditures Budget Analysis Report

February 2010

GENERAL DEPARTMENTS	Bugeted	Actual	Difference	Percentage
Legislative (Mayor/Commissioners)	\$ 60,977.00	\$ 23,617.37	\$ (37,359.63)	38.73%
Executive (City Manager)	\$ 266,040.00	\$ 112,025.36	\$ (154,014.64)	42.11%
Financial Administrative	\$ 560,270.00	\$ 304,892.08	\$ (255,377.92)	54.42%
Police	\$ 1,693,601.00	\$ 614,602.76	\$ (1,078,998.24)	36.29%
Community Center	\$ 48,739.00	\$ 13,777.61	\$ (34,961.39)	28.27%
Parks and Recreation	\$ 252,411.00	\$ 128,025.02	\$ (124,385.98)	50.72%
Building Services	\$ 253,145.00	\$ 115,096.52	\$ (138,048.48)	45.47%
Development Services	\$ 411,346.00	\$ 191,850.08	\$ (219,495.92)	46.64%
Streets/Public Works	\$ 661,829.00	\$ 255,429.64	\$ (406,399.36)	38.59%
Community Redevelopment	\$ 88,560.00	\$ 41,872.62	\$ (46,687.38)	47.28%
TOTAL	\$ 4,296,918.00	\$ 1,801,189.06	\$ (2,495,728.94)	41.92%

BUDGET ANALYSIS REPORT FISCAL YEAR 09-10

February 2010

ITEM	BUDGETED	ACTUAL	DIFFERENCE	PERCENTAGE
Inter-Fund Transfers: Industrial Park	\$ 10,000.00	\$ 10,000.00	\$ -	100.00%
Inter-Fund Transfers: Enterprise Transfer In	\$ 309,000.00	\$ 175,000.00	\$ (134,000.00)	56.63%
Interfund Transfers-5% TIE & Connection Fee	\$ -	\$ -	\$ -	0.00%
General Revenue-State (INTERGOVT)	\$ 153,000.00	\$ 63,047.35	\$ (89,952.65)	41.21%
Gas Tax-State (\$.04 + .01) -Local Option (INT)	\$ 200,000.00	\$ 98,207.34	\$ (101,792.66)	49.10%
State Sales Tax (.005 cent) (INTERGOVT)	\$ 222,000.00	\$ 92,737.70	\$ (129,262.30)	41.77%
.01 Infrastructure Surtax (INTERGOVT) Disc	\$ 438,000.00	\$ 178,349.00	\$ (259,651.00)	40.72%
County Motor Fuel Tax (9th cent) (INTERGOV	\$ 40,000.00	\$ 16,868.14	\$ (23,131.86)	42.17%
State Beverage License (INTERGOVT)	\$ 3,500.00	\$ 2,660.46	\$ (839.54)	76.01%
Mobile Home License (INTERGOVT)	\$ 13,000.00	\$ 12,457.12	\$ (542.88)	95.82%
Ad Valorem Taxes	\$ 975,331.00	\$ 889,024.81	\$ (86,306.19)	91.15%
Utility Tax Water Sales-City	\$ 29,268.92	\$ 11,434.86	\$ (17,834.06)	39.07%
Utility Tax-Villages 5% Water Utility	\$ 127,000.00	\$ 56,572.77	\$ (70,427.23)	44.55%
Utility Tax (Electric/Gas)	\$ 275,000.00	\$ 64,988.37	\$ (210,011.63)	23.63%
Telecommunications Tax	\$ 200,000.00	\$ 72,859.73	\$ (127,140.27)	36.43%
Franchise Tax	\$ 452,500.00	\$ 218,204.02	\$ (234,295.98)	48.22%
Interest Income	\$ 23,000.00	\$ 1,350.97	\$ (21,649.03)	5.87%
Zoning Compliance	\$ 600,000.00	\$ 209,979.39	\$ (390,020.61)	35.00%
Second Dollar Fund	\$ 1,250.00	\$ 182.00	\$ (1,068.00)	14.56%
Fines & Forfeitures	\$ 45,000.00	\$ 7,860.48	\$ (37,139.52)	17.47%
Community Center	\$ 25,000.00	\$ 18,333.01	\$ (6,666.99)	73.33%
Miscellaneous GF Revenue	\$ 23,636.00	\$ 9,998.66	\$ (13,637.34)	42.30%
Summer Camp Registration	\$ 30,000.00	\$ -	\$ (30,000.00)	0.00%
Private Contributions Summer Camp	\$ 10,000.00	\$ -	\$ (10,000.00)	0.00%
Dixie Youth Baseball Registration	\$ 1,200.00	\$ -	\$ (1,200.00)	0.00%
Life Flight Lease Payments	\$ 12,000.00	\$ 1,500.00	\$ (10,500.00)	12.50%
Fuel Tax Refunds	\$ 4,000.00	\$ 3,172.88	\$ (827.12)	79.32%
Auction/Land Sales Proceeds	\$ 15,000.00	\$ 10,500.00	\$ (4,500.00)	70.00%
Police User Fee	\$ 160,000.00	\$ 65,650.00	\$ (94,350.00)	41.03%
Concession Stand Income	\$ 10,000.00	\$ -	\$ (10,000.00)	0.00%
The Villages Amended Agreement	\$ 45,000.00	\$ 45,000.00	\$ -	100.00%
City Occupational Licenses	\$ -	\$ 2,686.25	\$ 2,686.25	#DIV/0!
Community Center Reservation Fee	\$ -	\$ 770.00	\$ 770.00	#DIV/0!
Growers Market Revenue	\$ -	\$ 4,690.00	\$ 4,690.00	#DIV/0!
Qualifying Fees	\$ -	\$ 409.52	\$ 409.52	#DIV/0!
Villages Amended Agreement-2007	\$ 45,000.00	\$ 45,000.00	\$ -	100.00%
Total	\$ 4,497,685.92	\$ 2,389,494.83	\$ (2,108,191.09)	53.13%

Enterprise Fund Expenditures Budget Analysis Report

February 2010

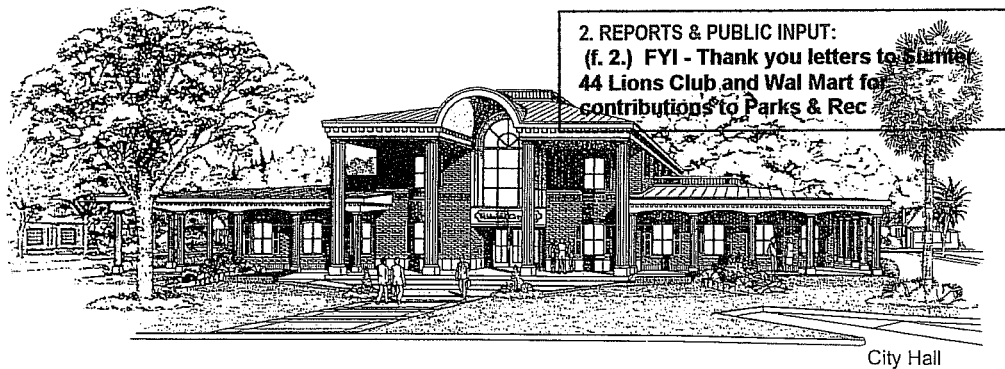
DEPARTMENTS	Budgeted	Actual	Difference	Percentage
Physical Environment Administration	\$ 346,897.00	\$ 206,760.91	\$ (140,136.09)	59.60%
Water Dept.	\$ 837,292.00	\$ 330,145.39	\$ (507,146.61)	39.43%
Wastewater Dept.	\$ 1,634,872.00	\$ 630,970.29	\$ (1,003,901.71)	38.59%
Refuse	\$ 877,084.00	\$ 298,235.21	\$ (578,848.79)	34.00%
Industrial Park	\$ 23,600.00	\$ 9,004.08	\$ (14,595.92)	38.15%
Greenwood Cemetery	\$ 725.00	\$ 178.87	\$ (546.13)	24.67%
TOTAL	\$ 3,720,470.00	\$ 1,475,294.75	\$ (2,245,175.25)	39.65%

Enterprise Fund Revenue Budget Analysis Report Fiscal Year 09-10

February 2010

ITEM	BUDGETED	ACTUAL	DIFFERENCE	PERCENTAGE
Water Operational	\$ 1,250,000.00	\$ 514,355.77	\$ (735,644.23)	41.15%
Water Connection Fees	\$ 150,000.00	\$ 84,118.80	\$ (65,881.20)	56.08%
Water TIE Fees	\$ 15,000.00	\$ 99,255.25	\$ 84,255.25	661.70%
Water Meter Install	\$ -	\$ 12,841.15	\$ 12,841.15	#DIV/0!
Water-Misc On/Off	\$ 20,000.00	\$ 8,980.00	\$ (11,020.00)	44.90%
Water Income Other	\$ 4,000.00	\$ 6,171.57	\$ 2,171.57	154.29%
Refuse Operational Revenue	\$ 750,000.00	\$ 312,451.80	\$ (437,548.20)	41.66%
Refuse Other Income	\$ 6,000.00	\$ 5,328.67	\$ (671.33)	88.81%
Wood Waste	\$ 10,000.00	\$ 2,320.00	\$ (7,680.00)	23.20%
Roll Off Container Billings	\$ 5,000.00	\$ 2,755.05	\$ (2,244.95)	55.10%
Wastewater Operational Revenue	\$ 2,000,000.00	\$ 804,994.65	\$ (1,195,005.35)	40.25%
Wastewater Connection Fees	\$ 300,000.00	\$ 182,315.60	\$ (117,684.40)	60.77%
Wastewater TIE Fees	\$ 25,000.00	\$ 30,626.02	\$ 5,626.02	122.50%
Sewer Other Misc	\$ 20,000.00	\$ 16,382.17	\$ (3,617.83)	81.91%
Wastewater TSS / COD	\$ 575,000.00	\$ 252,204.52	\$ (322,795.48)	43.86%
Reuse Fees	\$ 30,000.00	\$ 50,109.67	\$ 20,109.67	167.03%
Interest Income	\$ 600.00	\$ 4,575.70	\$ 3,975.70	762.62%
Industrial Park	\$ -	\$ -	\$ -	#DIV/0!
Total	\$ 5,160,600.00	\$ 2,389,786.39	\$ (2,770,813.61)	46.31%

City of
Wildwood,
Florida



City Hall

wildwood-fl.gov
Area Code: 352
Zip Code: 34785

CITY HALL
100 N. Main Street
330-1330 Phone
330-1338 Fax

CITY MANAGER
Extension 109

CITY CLERK/FINANCE
Extension 100

HUMAN RESOURCES
Extension 103
330-1339 Fax

CUSTOMER SERVICE
(Utility Accounts/TDD)
Extension 130

BUILDING SERVICES
Code/Inspections/Permits
Extension 119
330-1334 Fax

DEVELOPMENT SERVICES
Planning/Zoning/Concurrency
Extension 118
330-1334 Fax

**PARKS & RECREATION
COMMUNITY CENTER**
Reservations:
Extension 114

POLICE
100 E. Huey Street
330-1355
330-1358 Fax

WOODWASTE
601 W. Gulf-Atlantic Hwy.
330-1345

REFUSE / STREETS
410 Grey Street
330-1343
330-1353 Fax

WASTEWATER
1290 Industrial Drive
330-1349
330-1350 Fax

WATER
801 E. Huey Street
330-1346
330-1347 Fax

March 16, 2010

Sumter 44 Lions Club Wildwood
Wildwood, FL 34785

To whom it may concern:

On behalf of the City of Wildwood Parks and Recreation Department, I would like to thank Sumter 44 Lions Club Wildwood for generously sponsoring our 1st Easter Egg-stravaganza which will be held on Saturday, April 3, 2010 at the Millennium Park Baseball Fields in Wildwood

Every year, it is our aim to provide the community an opportunity to come together and celebrate holidays and special events and we could not accomplish this goal without the support and involvement of companies and organizations like yours. Your generous donation allowed us to enhance the quality and variety of this event while allowing us to administer a successful program.

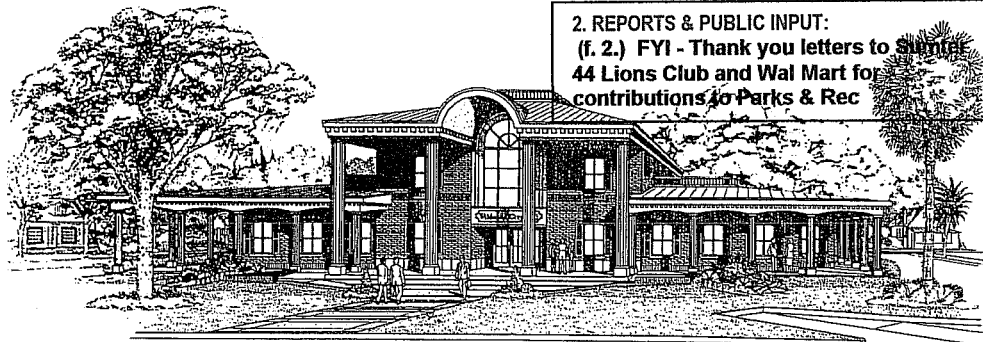
Please accept our sincerest appreciation and gratitude for your contribution to this year's event. Also, included is a report of what was bought for the event and the budget to show where your generous donation went towards. I hope you enjoyed working with us to provide a quality, community event for the residents of Wildwood. I hope we can continue to work together to provide new and exciting programs to our city's citizens.

Sincerely,

Jason Hargrove
Parks and Recreation Coordinator
City of Wildwood

Enclosure (2)

City of
Wildwood,
Florida



City Hall

wildwood-fl.gov
Area Code: 352
Zip Code: 34785

CITY HALL
100 N. Main Street
330-1330 Phone
330-1338 Fax

CITY MANAGER
Extension 109

CITY CLERK/FINANCE
Extension 100

HUMAN RESOURCES
Extension 103
330-1339 Fax

CUSTOMER SERVICE
(Utility Accounts/TDD)
Extension 130

BUILDING SERVICES
Code/Inspections/Permits
Extension 119
330-1334 Fax

DEVELOPMENT SERVICES
Planning/Zoning/Concurrency
Extension 118
330-1334 Fax

**PARKS & RECREATION
COMMUNITY CENTER**
Reservations:
Extension 114

POLICE
100 E. Huey Street
330-1355
330-1358 Fax

WOODWASTE
601 W. Gulf-Atlantic Hwy.
330-1345

REFUSE / STREETS
410 Grey Street
330-1343
330-1353 Fax

WASTEWATER
1290 Industrial Drive
330-1349
330-1350 Fax

WATER
801 E. Huey Street
330-1346
330-1347 Fax

March 16, 2010

Wal-Mart Supercenter Store #4262
4085 Wedgewood Lane
The Villages, FL 32162

To Whom It May Concern:

On behalf of The City of Wildwood Parks and Recreation Department, I would like to thank you for your assistance with our 1st Annual Easter Egg-stravaganza that will take place on Saturday, April 3, 2010 at Millennium Park Baseball Complex in Wildwood. This is a free family event that gives children (ages 3-12 years old) a wonderful Easter experience.

With the support of Wal-Mart, The City of Wildwood Parks and Recreation Department can continue to offer quality programming and free event to the citizens and visitors of The City of Wildwood. Thank you for support and I look forward to working with you in bring more events to this city's citizens.

Sincerely,

Jason Hargrove
City of Wildwood
Parks and Recreation Coordinator

City of Wildwood Parks & Recreation Department Presents Easter Egg-Stravaganza



Sponsored by:

44 Lions Club of Wildwood

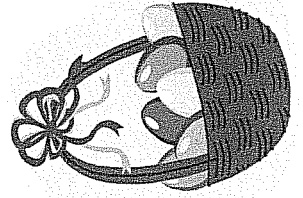
**Saturday, April 3, 2010
9am-11am**

AGES 3-12:

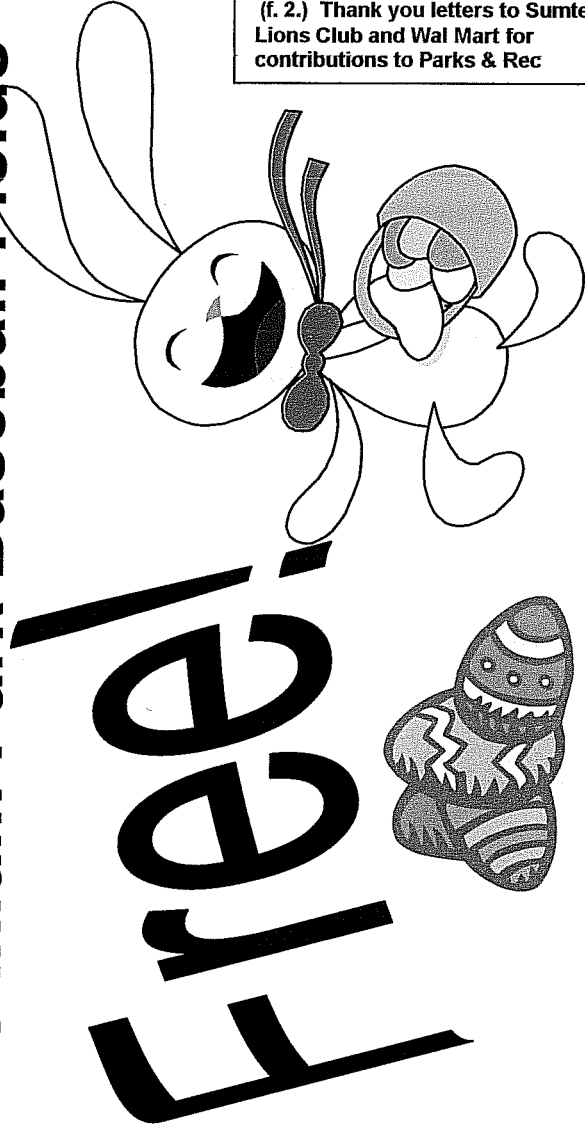
(Groups: 3-4, 5-6, 7-8, 9-10, 11-12)

Bring your basket to collect Easter eggs. Find an egg with a number in it and receive a prize. Find an egg with a **GOLDEN EGG** in it and receive a **SUPER PRIZE !**

**Face Painting will be available
9am until 11am**



**Hunt begins at 10:00 a.m.
Millennium Park Baseball Fields**



City of Wildwood Parks and Recreation Department
Jason Hargrove, Parks & Recreation Coordinator
(352) 330-1330 Ext 114 or jhargrove-wildwood@cfl.rr.com
www.wildwood-fl.gov

2. REPORTS & PUBLIC INPUT: *FYI*
(f. 2.) Thank you letters to Sumter 44
Lions Club and Wal Mart for
contributions to Parks & Rec

**CITY OF WILDWOOD
EXECUTIVE SUMMARY**

2. REPORTS & PUBLIC INPUT
(f. 3) WW Dixie Youth League Contract for use of fields

SUBJECT: City of Wildwood Dixie Youth Contract

REQUESTED ACTION: FYI

- ☐ Work Session (Report Only)
☒ Regular Meeting

DATE OF MEETING: 3/22/10
☐ Special Meeting

CONTRACT: ☐ N/A

Effective Date: _____
Managing Division / Dept: _____

Vendor/Entity: _____
Termination Date: _____

BUDGET IMPACT: \$1,000

- ☒ Annual
☐ Capital
☐ N/A

FUNDING SOURCE: _____

EXPENDITURE ACCOUNT: _____

HISTORY/FACTS/ISSUES:

Mayor and Commission,

The City has entered into an agreement with the Wildwood Dixie Youth League. The contract has changed significantly from last year. The following lists some of the changes:

- The City will collect \$5.00 per player. There should be @ 200 players this year generating \$1,000 in revenue. Last year the city received all revenues from sign ups and concessions. Sign ups are down this year due to new leagues being started in Lady Lake and Bushnell.
- Dixie Youth will run and stock the concession stand utilizing the proceeds for the League (umpires, uniforms, etc). Last year the League would purchase items and invoices would be sent to the City. The purchases would come out of fees collected. This created a lot of work for the Parks and Recreation, Clerk's, and Executive Departments.
- The City will not receive profits from the use of the concession but will inspect and make sure the equipment is being utilized in the appropriate manner.
- Last year, the total revenue after expenses was \$3,899.

The Dixie Youth League and City staff believes that this contractual relationship is less complex and more streamlined. The City will receive less revenue but workload associated with this recreational program will be significantly reduced.

WILDWOOD PARKS & RECREATION DEPARTMENT
YOUTH LEAGUE FACILITY USAGE AGREEMENT

2. REPORTS & PUBLIC INPUT
Wildwood Youth League Contract for use of fields

The WILDWOOD DIXIE YOUTH LEAGUE League, here after referred to as League, requests use of MILLENNIUM PARK facility, and agrees to abide by the conditions and responsibilities set forth in this agreement. The League may use the facility on a non-exclusive basis from FEB 1 2010 to AUG 1 2010.

GENERAL USAGE REQUIREMENTS:

1. The League agrees to perform background checks on all coaches, board members and officials, within 30 days prior to the first practice of each season. At a minimum, one of the three approved levels will be conducted and documented: FDLE Website Background Check, Local Law Enforcement Background Check or FBI Nationwide Background Check. League agrees to submit a complete list of findings to the Wildwood Parks and Recreation Department prior to the opening day of the season. The League will not use the services of any person at the City facility without a clear background check.
2. The League agrees to place the statement: "All coaches, board members and officials of this league will have (enter appropriate level here) background checks conducted within 30 calendar days prior to the first practice of the season." on the front of the League's registration sheet.
3. The League, at its own expense, shall keep in force during the term of this agreement, insurance from an insurance company licensed in the State of Florida and rated "A, Class VII," or better, by A.M. Best. A certificate of insurance shall evidence required insurance including; Comprehensive Liability Insurance with a minimum limit of one million dollars (\$1,000,000.00) per occurrence combined single limit to include:
 - a. Premises - Operations
 - b. Independent Contractors
 - c. Products - Completed Operations
 - d. Broad Form Contractual
 - e. Personal Injury

Coverage must list The City of Wildwood as an additional insured party and be approved by the Parks and Recreation Department no less than 15 calendar days prior to the initial use listed in this agreement. The City shall be provided with no less than a 30 day notice for nonpayment of a premium in case of cancellation, non-renewal, or adverse change to the policy. This section shall not be construed to negate any claim of sovereign immunity of the City.
4. The League agrees to submit typed practice schedules no less than ten days prior to start of practice and typed game schedules no less than seven days prior to start of a season. Schedules should list *specific* dates, times, and number of fields needed. NOTE: Usage shall be scheduled at the Parks and Recreation Department's discretion once requests are received. *Submission* of typed practice and game schedules does not constitute approval for use. Approval is executed and authorized *only by receipt of the Parks and Recreation administrative signature on league facility request form.*
5. The League agrees to remit five (5) dollars per participant to the City of Wildwood through the Parks and Recreation Department within 15 days of Opening Day Ceremonies.
 - This fee will be utilized for the use of and ongoing maintenance of the fields.
6. The League agrees to maintain updated and accurate accounting records, books and data, showing *ALL* revenues and expenses for services performed and equipment or goods received. *The League shall be responsible for submittal of financial records, within 15 days upon completion of each season.*

7. The League agrees to submit a typed list with the names, addresses, and phone numbers of all board members before the start of the current season.
2. REPORTS & PUBLIC INPUT
(f. 3) WW Dixie Youth League Contract for use of fields
8. *A board member representing the League is required to be present at all League activities. The representative must maintain control of coaches, referees, participants, spectators, lights, and cleanliness of facility.*
9. The League agrees to provide all staff and equipment essential for operating the program.
10. A new Agreement shall be executed before the start of each season.
11. The League agrees to place advertising in legal areas as it is pursuant to the provisions of any state statute, city ordinance, and city contract.

IMPROVEMENTS AND MAINTENANCE OF FACILITIES:

1. Items requested for maintenance (except in emergencies) shall be submitted on forms provided by the Parks and Recreation Department for approval each year.
2. The City is responsible for the general maintenance of *ALL* electrical, plumbing, potable water, and structural related repairs at each facility. The Parks and Recreation Department shall coordinate repairs. The League is not authorized to perform any repairs.
3. Damaged City property or City property in need of repair shall be immediately reported to the Parks and Recreation Coordinator:

Parks and Recreation Office: (352) 330-1330 Ext 114
Fax: (352) 330-1338

4. Any and all authorized improvements made to the buildings or property becomes the property of the city.

CONCESSIONS

1. The League agrees to supply and staff the concession stand during all seasons for this annual period.
2. The League agrees to maintain a standard of "Grade A" quality of its food and beverage items.
3. The Parks and Recreation Coordinator shall inspect and approve all electrical appliances used by the League for electrical safety. Appliances discovered to be substandard or violating safety standards or codes will be removed to reduce liability. League is responsible for repair of League appliances. Repaired appliances may be used upon inspection and approval from the Parks and Recreation Coordinator.
4. The League is responsible for the overall cleaning and operation of support facilities.

INDEMNITY

The League agrees to, indemnify, save and hold harmless the City of Wildwood from all liability, claims, demands, damages and cost of every kind and nature, including attorneys' fees at trial or appellate levels and all court costs arising out of injury to, or death of, persons (including League members), and damage to any and all property including loss of use thereof, resulting from or in any manner arising out of or in connection with activities or use of the above facilities by the League, its agents, servants or employees, or resulting from or in any manner arising out of its relationship with the City of Wildwood, excepting only liability resulting from the negligence of the City of Wildwood. The League shall, upon request from the City of Wildwood, defend and satisfy any and all suits arising from its use of the premises.

IN WITNESS WHEREOF; the parties have executed this agreement this 9 day of MARCH, 20 10.

2. REPORTS & PUBLIC INPUT
(f. 3) WW Dixie Youth League Contract for use of fields

Phil M. Williams
League President's Signature

[Signature]
Parks and Recreation Coordinator's Signature

[Signature]
City Manager's Signature

WILDWOOD DIXIE YOUTH LEAGUE
Print / Type Official League Name

P.O. Box
458 WILDWOOD FL 34785
League Mailing Address

(352) 551-7753
League Phone

League Website

bookedup@comcast.net / LEGALegLet@aol.com
League E-Mail Address

League President's Printed Name

11419 CR 209

Mailing Address

Oxford FL 34484

City / State / Zip

E-mail Address

352-330-2000

President's Home Telephone Number

S/A

President's Work Telephone Number

S/A

President's Cell Telephone Number

Alternate Representative Printed Name

Mailing Address

City / State / Zip

E-mail Address

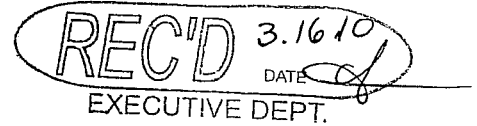
Alternate Home Telephone Number

Alternate Work Telephone Number

Alternate Cell Telephone Number

Mail to: Wildwood Parks and Recreation Department
100 N. Main Street
Wildwood, FL 34785
Office (352) 330-1330 Ext. 114 Fax (352) 330-1338

FRIENDS OF THE WILDWOOD LIBRARY
310 S. PALMER
WILDWOOD, FL 34785



March 15, 2010

Mr. Robert Smith
City Manager
Wildwood, FL 34785

Dear Mr. Smith,

The Friends of the Wildwood Library conducted it's most successful Book Sale on Saturday, March 6th of this year. We raised more than \$800.00 in the sale of hardcover books, trade paperbacks, magazines, records and videos.

Our entire organization sends their appreciation for your continued support and for the support of the City of Wildwood.

The funds raised through our daily sales from the Book Store at the Library and the three Bag Sales conducted from the Webster facility help many programs for the City of Wildwood Public Library and various other reading programs for the Wildwood Elementary Schools. We will again be supporting the Summer Reading Program for this year.

As we move forward to the opening of the new Villages Library at Pinellas Plaza in November, our organization wishes to continue to conduct sales for the betterment and support for the Library. Last year we held a "Summer Sale" in June. We would like to have another sale on Saturday, June 5th.

We are seeking your approval for us to continue to use the Webster Street facility and to conduct our 2010 "Summer Bag Sale" on this date.

Again, my personal thanks and with the appreciation of our organization.

With best regards,

A handwritten signature in cursive script that reads "Larry Johnson".

Larry Johnson
Book Sale Chairperson
Friends of the Wildwood Library.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
MARCH 8, 2010 – 7:00 P.M.
CITY HALL COMMISSION CHAMBER

3. NEW BUSINESS – ACTION REQUIRED

(a) Minutes

1. March 8th, 2010 – Regular Mtg.

The City Commission of the City of Wildwood met in Regular session March 8, 2010 at 7:00 p.m. in the City Hall Commission Chamber.

Present: Mayor Wolf; Commissioners Clark, Strickland, Bivins and Allen. Also present: City Clerk Jacobs, Assistant City Clerk Roberts, City Attorney Blair, Police Chief Reeser, AVT Law, Development Services Director Peavy, Public Works Director Kornegay, and Senior Planner Grimm.

The meeting was called to order by Mayor Wolf, with Commissioner Allen giving the invocation and audience joining in the Pledge of Allegiance to the American Flag.

1. TIMED ITEMS AND PUBLIC HEARINGS

7:00 PM

- (a) *PUBLIC HEARING – 2nd Final Reading Ordinance No. O2010-02, amending Ordinance No. 615, and certain other elements; fulfilling requirements of the compliance agreement between FDCA, COW, Landstone, LLC and Wildwood Springs, LLC (See Exhibit "B" under Public Hearings for ALL ordinance attachments) (Attachments – Staff recommends approval)

CA Blair explained this is the Ordinance to amend the Comp Plan as stipulated in the agreement between the DCA and the City. Has been assured by David Jordan that the agreement has been executed by DCA, although a copy has not be received. The City will have to wait through the review time, but DCA has approved the agreement. DSD Peavy indicated it should be final May 1. Within three months of that day the City will begin the JPA process with Sumter County and currently the Zoning chapter of the LDR is being rewritten to be in compliance with the Comp Plan.

O2010-02 was read by title only by Mayor Wolf, who then opened Public Hearing. No comments were received.

Motion by Commissioner Bivins, second by Commissioner Allen that Ordinance No. O2010-02: An Ordinance Of The City Of Wildwood, Florida; Amending Ordinance 615 And The Proposed Text Amendments Contained Therein To The City's Comprehensive Plan Including The Future Land Use Element, Transportation Element, Housing Element, Public Facilities Element, Conservation Element, Recreation And Open Space Element, Intergovernmental Coordination Element, Capital Improvements Element, Economic Development Element, Public School Facility Element; New Map Series And New 2035 Future Land Use Map Of The Adopted Local Comprehensive Plan; Providing Such Amendments Are For The Purpose Of Fulfilling The Requirements Of The Compliance Agreement Entered Into By The City Of Wildwood, The State Of Florida Department Of Community Affairs, Landstone-Wright, LLC And Wildwood Springs, LLC And In Accordance With The Growth Management Act Of 1985, As Amended; Providing For Transmittal To The Department Of Community Affairs; Providing For Conflict; And Providing For An Effective Date: is adopted. Motion carried. Unanimous Vote.

- (b) 7:00 PM TIMED ITEM Special Master recommendation regarding the site plan for the construction of a two story, 7,877 SF fire station for applicant – Doug Conway (Attachment – Staff Recommends Approval)

Reference Coleman Fire Station.

Motion by Commissioner Bivins, second by Commissioner Allen to accept the recommendation of the Special Magistrate and approve SP 2010-03-01. Motion carried. All voting yea.

- (c) TIMED ITEM Special Master recommendation regarding the request for conditional use to allow an additional 14x60' modular building to serve as a temporary office for applicant – Brad McNeill (Attachment – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Bivins to accept the recommendation of the Special Magistrate and approve CU 2010-03-01. Motion carried. All voting yea.

2. REPORTS AND PUBLIC INPUT

- SPECIAL PRESENTATION: Proclamation and service award to Billy Penley (retiring) for years of service to the City of Wildwood

Mayor Wolf presented 20-year employee Billy Penley with a proclamation and plaque upon his retirement.

- a. City Manager
 - 1) Status Update for Champagne Farm Well by David Grimm, Projects Planner (Attachments)
 - 2) FYI – Memo from Chief Reeser regarding Certification of the 911 Communication Center (Attachments)
- b. City Attorney - NONE
- c. City Clerk - NONE
- d. Commission Members –
 - Wolf – is the current surface on 301 the top coat. SP Grimm – indicated he believes it is. They are getting ready to raise the manholes.
- e. Public Forum (10 minute time limit) - NONE
- f. Notes, Reports, and items for the file as attached
 - No Notes. Reports under City Manager.

3. NEW BUSINESS – ACTION REQUIRED

- a. MINUTES
 - 1) Motion by Commissioner Strickland, second by Commissioner Bivins to approve the Minutes of Regular Meeting held on February 22, 2010 as typed. Motion carried. All voting yea.
- b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)
 - 1) Ordinance No. O2010-01, providing for Refuse services, yard waste, amending and adding sections of the City's Code of Ordinances

PWD Kornegay – There are some changes to be made, but will be on second reading.
 - 2) Ordinance No. O2010-06, an ordinance providing specificity of when base rates apply to development.

- 3) Ordinance No. O2010-07, providing for emergency plumbing; generators; for pumping stations at critical points or which have a peak design capacity of 1000 GPM or more; etc.

Ordinances O2010-01, O2010-06 and O2010-07 were read by title only on first reading. No action necessary.

c. RESOLUTIONS FOR APPROVAL:

- 1) Resolution No. R2010-07 relative to holiday and smoking policies (Attachments – Staff recommends approval)

Commissioner Clark questioned if information pertaining to smoking and tobacco use in vehicles has been obtained from other cities.

Motion by Commissioner Clark, second by Commissioner Strickland that Resolution No. R2010-07 is adopted less the section pertaining to Smoking in Vehicles. Motion carried. All voting yea.

Motion by Commissioner Clark, second by Commissioner Bivins that amendment to Personnel Policy Section 8.18 be brought back to Commission upon receipt of other policies. Motion carried. All voting yea.

d. APPOINTMENTS

- 1) None

e. CONTRACTS AND AGREEMENTS

- 1) None

f. FINANCIAL

- 1) Bills for Approval (Attachments – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Bivins to approve payment of the bills. Motion carried. All voting yea.

g. GENERAL ITEMS FOR CONSIDERATION

- 1) None

4. ADJOURN:

Upon a motion by Commissioner Bivins, second by Commissioner Strickland the meeting was adjourned.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

S E A L

ATTEST: _____
Joseph Jacobs, City Clerk

Ed Wolf, Mayor

ORDINANCE #02010-03

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, COUNTY OF SUMTER, STATE OF FLORIDA; RECLASSIFYING THE ZONING FROM GENERAL MIXED USE - GM AND COMMERCIAL TO PLANNED UNIT DEVELOPMENT FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA OWNED BY ACORN INVESTMENTS, LLC; PROVIDING FOR THE TERMS AND CONDITIONS OF THE PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP;; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Wildwood, Florida, as follows:

Section 1: Property Description and Zoning Classification.

- a. The following described property, owned by Acorn Investments, LLC, is located in the City of Wildwood, Florida:

LEGAL DESCRIPTION:

THE EAST ½ OF THE WEST ½ OF THE SOUTH ¾ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 5, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY FLORIDA;

AND,

THE WEST ½ OF THE WEST ½ OF THE SOUTH ¾ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 5, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY FLORIDA;

AND,

THE NORTH ½ OF THE EAST ½ OF THE SOUTH ¾ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 5, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY FLORIDA;

AND,

BEGIN 50.00 FEET SOUTH OF THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 5, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER

COUNTY FLORIDA, RUN WEST 245.00 FEET, SOUTH 282.00 FEET, EAST 245 FEET, NORTH 282.00 FEET; LESS COUNTY ROAD RIGHT-OF-WAY ON EAST SIDE.

AND,

PARCEL “A”

BEGIN 50.00 FEET SOUTH AND 245.00 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 5, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, RUN WEST 417.00 FEET, RUN SOUTH 283.00 FEET, RUN EAST 417.00 FEET, NORTH 283.00 FEET TO THE POINT OF BEGINNING, LESS THE WEST 150.00 FEET THEREOF, ALSO LESS THE WEST 38.55 FEET OF THE ABOVE DESCRIBED PARCEL OF LAND.

- b. The above-described property shall be referred to in this ordinance as the PUD property.
- c. The PUD property consists of parcel numbers # G05=119, G05=120, G05=124, G05=140, G05=1156

Section 2: The PUD property is subject to the following terms and conditions:

a. General.

- 1. Development of this Project shall be governed by the contents of this ordinance and applicable sections of the City of Wildwood Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City.
- 2. Where in conflict, the terms of this ordinance shall take precedence over the City of Wildwood Land Development Regulations and Code of Ordinances, and all other applicable rules, regulations and ordinances of the City.
- 3. Unless otherwise noted, the definition of all terms shall be the same as the definitions set forth in the City of Wildwood Land Development Regulations.
- 4. The purpose of this PUD is to:
 - i. Meet the requirement, as set forth in City of Wildwood, Ordinance #431, that any parcel of property zoned General Mixed Use that is over ten acres must follow the PUD procedure;
 - ii. Provide for a multi-use development;
 - iii. Create an attractive and high-quality environment which is compatible with the scale and character of the local environment;
 - iv. Protect and enhance the environment, and promote sustainable development principles;
 - v. Develop a residential area that includes pedestrian walkways;
 - vi. Provide commercial facilities to serve the new development and to enhance existing provision in the area;

- vii. Provide drive aisles for use by residents and patrons that encourage pedestrian travel;
- viii. Provide allowance for open space in the development.

b. Land Uses.

The proposed Planned Unit Development conceptual plan, attached hereto as Exhibit “A”, is incorporated into this ordinance. Elements in the proposed plan include residential and commercial uses. The approximate acreage devoted to each land use shall be as follows:

Total Project:	24.24 acres	
Residential:	19.48 acres:	292 units. (15 units per acre)
Commercial and/ or Institutional:	4.76 acres:	Approx. 42,500 square feet
Minimum Open Space:	6.06 acres	25% of the Project

Non-substantial deviations from the acreages shall be allowed provided there is no increase in density or intensity. Densities may be revised per the following matrix: 1000 Square feet of Retail = 4,836.51 Square feet of Office = 20.2 Beds for congregate care facility (such as assisted/independent living, nursing home, skilled nursing) = 8.20 Multi Family Units = 7.16 Hotel Rooms or 1 Multi Family Unit = 2.44 Beds for congregate care facilities (such as assisted/independent living, nursing home, skilled nursing) = 589.82 Square feet of Office = 121.95 Square feet of Retail = 0.87 Hotel Rooms. Further, utilization of the matrix provided here in shall be determined to be a non-substantial deviation.

c. Residential.

The residential component of the development consists of 292 units on approximately 19.48 acres. Non-substantial deviations from the acreages shall be allowed provided there is no increase in density or intensity based on the matrix in Section 2b above. The maximum density shall be 15 units per acre. The Project may contain a mix of residential uses.

The residential component of the Project shall adhere to the Residential Design Standards.

Maximum Building Height: 3 stories or 35 feet, unless jointly approved by the Sumter County Fire Department and the City Commission.

d. Commercial and/or Institutional .

The commercial and/ or institutional component of the development consists of 42,500 square feet on approximately 4.76 acres. Non-substantial deviations from the acreages

shall be allowed provided there is no increase in density or intensity based on the matrix in Section 2b of this ordinance. The commercial and institutional component shall adhere to the City's Commercial Design Standards and shall be considered Neighborhood Commercial.

Permitted Uses:

- Retail
- Office
- Banks and financial institutions
- Personal service establishment
- Restaurant
- Convenience store
- Gasoline station
- Drug store/pharmacy
- Hardware store provided there is not outside storage or distribution
- Drive-through establishments for retail and personal services
- Other similar commercial and office uses
- Institutional uses such as congregate care facilities, assisted living facilities, medical and dental offices and other similar uses.

Prohibited Commercial Uses:

- Retail and wholesale establishments for sale, repair, or service of automobiles, heavy machinery, farm equipment, and non-retail establishments for the distribution or outdoor storage of lumber, building and landscaping supplies and other similar uses.

e. Recreation and Open Space.

1. Recreation

The Project shall contain three (3) recreation amenities which by way of example only, may consist of a park area, a tot lot, a pool area, or a combination thereof, each of which shall be private in nature, all as determined by the Owner. Said amenities shall be determined during subdivision or site plan approval.

2. Open Space

The minimum allocation of open space areas shall be the following: (i) 25% of the gross land area of Project site; or (ii) 6.06 acres.

The open space area shall be provided and calculated as specified in the Residential Design Standards and may include, but not be limited to, Project buffer areas, recreation area, landscaped areas, and portions of stormwater management system. The open space shall be calculated on an aggregate basis over the entire PUD Property, notwithstanding that the Project may be developed in phases.

f. Public Facilities.

1. Potable Water, Wastewater, and Reuse.

Each structure on the Project shall be connected to the City Potable Water and Sanitary Sewer system, prior to any certificates of occupancy being issued for such structure on the Project. The Project will connect to the City reuse system upon availability. Expansion of the City Potable Water and Sanitary Sewer systems, including necessary utility easements, shall be negotiated by separate Developer's Agreement between the City and the Owner/Developer. Said agreement shall specify cost and timetables for delivery of services.

2. Solid Waste.

Waste services shall be provided by the City of Wildwood.

3. Drainage.

The maintenance of the drainage system shall be the responsibility of the property owner or its successor or assign and shall meet the requirements of the Southwest Florida Water Management District (the "District") and the level of service standards set forth by the City.

4. Transportation.

- i. There shall be a maximum of two (2) and minimum of one (1) ingress and egress points on CR 139 for the Project. The location shall be determined by Sumter County and the City of Wildwood.
- ii. There shall be a maximum of two (2) ingress and one (1) egress point on CR 466A for the Project. The location shall be determined by Sumter County and the City of Wildwood.
- iii. The Project shall provide transportation connectivity between the residential and commercial land uses. The Project shall adhere to the Residential and Commercial Design Standard relating to internal and external interconnectivity for all modes of transportation for the Project.

5. Streets and Sidewalks.

- i. Sidewalks shall be required in accordance with the City's Residential Design Standards, as amended.
- ii. The City and the developer will enter into a written Developer's Agreement concerning maintenance of the streets and sidewalks.
- iii. Street and sidewalk interconnectivity between the residential and commercial uses on site shall be provided.
- iv. A five foot sidewalk shall be provided within the landscape buffer along CR 142.

- v. The sidewalks along CR-139 and CR 466A will be provided within the County right-of-way, by the County at no cost or expense to the Owner.

g. Landscaping Requirements.

All landscaping and buffer requirements shall be in accordance with the City's Design Standards.

1. All landscaped and common areas shall be irrigated in accordance with the City's Residential and Commercial Design Standards.
2. All landscaping shall have appropriate irrigation and shall utilize reclaimed water if utility lines and adequate capacity is made available to the boundary of the Project.
3. Any tree removal or replacement will be subject to the City's Tree Ordinance #594.

h. Lighting.

Decorative lighting shall be provided as required in the City's Commercial or Residential Design Standards, as amended.

i. Utilities.

All on site utilities shall be underground. Developer is responsible for running utilities underground for its development. The City shall insure that any utilities within any public utilities easement serving lands other than the Project shall be underground.

j. Signage.

All signage shall comply with the City's Commercial Design Standards. If signage is installed within the twenty foot (20') wide City of Wildwood easement along the perimeter of the Project, the City shall not be responsible for any damage to signage as caused by the City's exercise of the easement.

k. Maintenance of Common Areas.

Maintenance and repair of structures, lawn mowing, and landscaping maintenance of all common areas within the Project shall be the responsibility of the property owner or its designee such as a property owners association, at no cost or obligation to the City. The developer/owner shall provide Guidelines for the maintenance of common areas, which Guidelines shall be submitted to the City for its approval, which approval shall not be unreasonably withheld, conditioned or delayed. The City will be granted the right, but not the obligations, to enforce the common areas maintenance obligations against the landlord/property owner/developer, as may be applicable, and to be reimbursed for the

reasonable attorney's fees, costs and expenses, as may be reasonably incurred by the City. A failure by the City to enforce this right shall not constitute a waiver.

l. Enforcement of Rules and Regulations.

For the maintenance of the common areas referenced in Section 2.k of this ordinance, the applicable provisions in the Guidelines: (i) shall be made applicable to the commercial and the residential segments of the Project; and, (ii) shall be reviewed/approved by the City of Wildwood, with a certificate of occupancy being issued for completed improvements; and (iii) will provide that the City of Wildwood shall have the right, but not the obligation, to enforce such maintenance obligations against a violating party and that the City should be entitled to reasonable attorney's fees and costs for enforcement regardless of whether or not a suit has been filed. Guidelines shall be submitted to the City for its approval, which approval shall not be unreasonably withheld, conditioned or delayed. The City will be granted the right, but not the obligations, to enforce the common areas maintenance obligations against the landlord/property owner/developer, as may be applicable, and to be reimbursed for the reasonable attorney's fees, costs and expenses, as may be reasonably incurred by the City. A failure by the City to enforce this right shall not constitute a waiver.

m. Impact Fees.

The Project shall be subject to all impact fees applicable at the time of permitting. All impact fees are to be paid before issuance of any building permit. Proof of Sumter County impact fees paid shall be provided to the City of Wildwood. Any impact fees adopted by the City of Wildwood, Sumter County or the Sumter County School Board prior to issuance of building permits shall also be applicable to the Project.

All impact fee credits for right-of-way donations and road construction completed by this Project will be subject to an appropriate agreement with the appropriate government agencies.

n. Amendments.

Any substantial deviation from the PUD Concept Plan, or deviation from the terms of this Ordinance, shall be approved by the City Commission in accordance with the legal procedures to amend zoning ordinances.

o. Expiration of PUD.

Actual construction must begin within the planned unit development within 24 months of the later of the final adoption of the PUD agreement or rezoning to PUD including the expiration of all appeal periods. If no construction has started on the approved PUD within the allotted time frame, the planned unit development shall lapse and be of no further effect. If the planned unit development lapses under the provisions of this code,

the PUD site reverts to the original zoning classification. The City Commission may extend the PUD for periods of up to six months provided the applicant can show good cause why said development was delayed under the originally approved development plan. An extension may be granted for delays beyond the control of the owner such as market conditions.

Section 3: Consistent with Comprehensive Plan.

The zoning classification of the PUD property is consistent with the Comprehensive Plan of the City of Wildwood, Florida.

Section 4: Official Zoning Map.

The Development Services Director, or designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Wildwood, Florida, to include said designation.

Section 5: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 6: Conflict.

With regard to the PUD property, this ordinance shall prevail if there is a conflict with any other ordinance. However, to the extent there is no conflict, all other ordinances are applicable to the PUD property.

Section 7: Effective Date.

This Ordinance shall become effective immediately upon its approval and adoption by the City Commission.

PASSED AND ORDAINED in regular session of the City Commission of the City of Wildwood, Sumter County, Florida, this ____ day of _____, ____.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: _____
Joseph Jacobs, City Clerk

ED WOLF, MAYOR

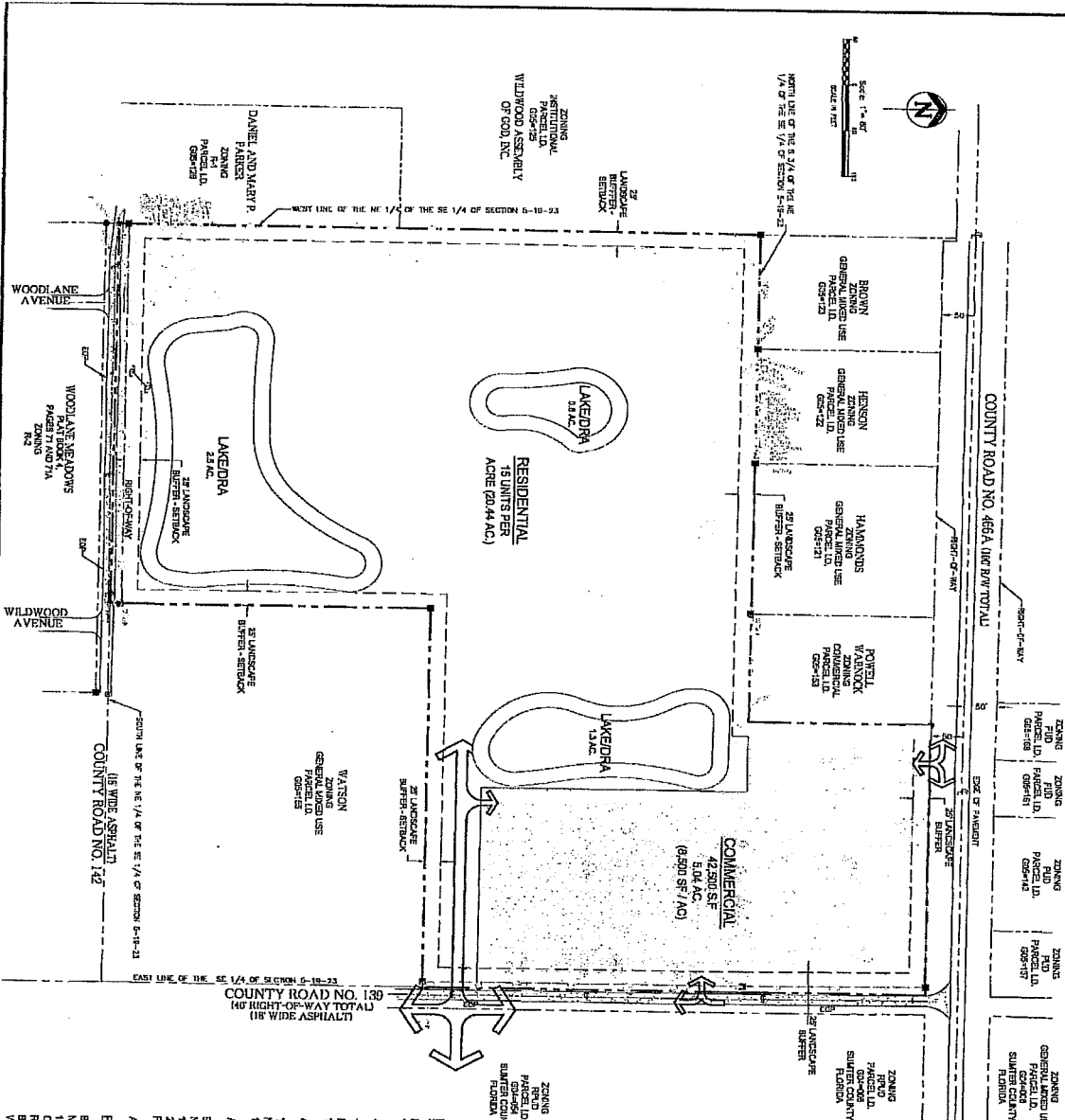
First Reading: _____
Second Reading: _____

Approved as to Form:

Jerri A. Blair, City Attorney

OWNER/DEVELOPER:
 ACCURATE INVESTMENTS, LLC
 303 EAST PARK STREET
 ORLANDO, FL 32804
 (407) 623-3880
 JOE NISBETT, MANAGER

ENGINEER/SURVEYOR:
 FRANK P. BARTLEY AND ASSOCIATES, INC.
 4400 S.W. 11TH AVENUE, SUITE 200
 WILMINGTON, FL 32691
 (904) 796-3125
 JEFFREY A. HEAD, P.E. 50005



SITE DATA

1. SITE ADDRESS	2. ZONING	3. BUILDING TYPE	4. # OF UNITS	5. DENSITY	6. BUILDING SEPARATION	7. SETBACKS (FEET)
COMMERCIAL - 5.04 AC. RESIDENTIAL - 20.44 AC. TOTAL - 25.48 AC.	COMMERCIAL RESIDENTIAL	LOCATED IN SECTION 4, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUTLER COUNTY, FLORIDA RESIDENTIAL MAX. HEIGHT 35 FT. COMMERCIAL MAX. HEIGHT 35 FT.	15 UNITS R-1 (FROM DENSITY RESIDENTIAL) C (COMMERCIAL) - 42,200 S.F. (8,000 S.F./AC.) C (COMMERCIAL) - 6,500 S.F. (1,300 S.F./AC.)	RESIDENTIAL - 15 UNITS COMMERCIAL - 15 UNITS	BUILDING SEPARATION IS TO BE DETERMINED AT THE TIME OF SITE PLAN SUBMITTAL AND APPROVED BY THE CHIEF FIRE CHIEF. FIRE CHIEF MAY ALSO APPROVE MAXIMUM BUILDING HEIGHT TO BE GREATER THAN 35 FT.	25' LANDSCAPE BUFFER - SETBACK FROM ADJACENT PROPERTIES 25' (ALONG COUNTY ROAD 130) 25' (BETWEEN COMMERCIAL AND MULTIFAMILY DWELLINGS)

LEGAL DESCRIPTION
 THE EAST 1/2 OF THE WEST 1/2 OF THE SOUTH 1/4 OF THE NORTHWEST 1/4 OF THE SECTION 34 OF TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUTLER COUNTY, FLORIDA;
 AND
 THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTH 1/4 OF THE NORTHWEST 1/4 OF THE SECTION 34 OF TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUTLER COUNTY, FLORIDA;
 AND
 THE NORTH 1/2 OF THE EAST 1/2 OF THE SOUTH 1/4 OF THE NORTHWEST 1/4 OF THE SECTION 34 OF TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUTLER COUNTY, FLORIDA;
 AND
 BEGIN 50.00 FEET SOUTH AND 245.00 FEET WEST OF THE NORTHWEST CORNER OF THE SECTION 34 OF TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUTLER COUNTY, FLORIDA; ALONG THE WEST 1/2 OF THE SOUTH 1/4 OF THE SECTION 34 OF TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUTLER COUNTY, FLORIDA; BEGINNING LESS THE WEST 150.00 FEET THEREOF; ALSO LESS THE WEST 24.50 FEET OF THE ABOVE DESCRIBED PARCEL OF LAND.

PARCEL 1/2
 BEGIN 50.00 FEET SOUTH AND 245.00 FEET WEST OF THE NORTHWEST CORNER OF THE SECTION 34 OF TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUTLER COUNTY, FLORIDA; ALONG THE WEST 1/2 OF THE SOUTH 1/4 OF THE SECTION 34 OF TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUTLER COUNTY, FLORIDA; BEGINNING LESS THE WEST 150.00 FEET THEREOF; ALSO LESS THE WEST 24.50 FEET OF THE ABOVE DESCRIBED PARCEL OF LAND.

WILDOOD CROSSING P.U.D.

MASTER DEVELOPMENT PLAN

FARNER
 ENGINEERS, INC.
 Certificate of Authorization Number: 47010
 1110 N.E. 1st Street, Suite 200, Wilfredo, Florida 34786 (352) 753-3114

DATE: _____

BY: _____

ORDINANCE #2010-04

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, COUNTY OF SUMTER, STATE OF FLORIDA;; RECLASSIFYING THE ZONING FROM COUNTY RPUD TO CITY PLANNED UNIT DEVELOPMENT FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA OWNED BY PARKWOOD SUMTER PROPERTIES, INC.; PROVIDING FOR THE TERMS AND CONDITIONS OF THE PLANNED UNIT DEVELOPMENT; PROVING FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENT TO THE OFFICIAL ZONING MAP; ; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Wildwood, FL, annexed the PUD property described below on September 25, 2007. At the time of annexation, the future land use was County High Density Residential and the zoning was County RPUD. Per the City's Land Development Regulations, upon annexation, the County land use and zoning remain applicable until such time as the City amends its comprehensive plan to change the future land use to a City designation and amends the zoning;

WHEREAS, the City of Wildwood, FL agreed to the terms of the Sumter County approved PUD establishing density, lot configurations, amenities and property design;

WHEREAS, the construction plans for "Parkwood Village" dated 11/19/2007 along with a memorandum of agreement between Sumter County and Parkwood Sumter, LLC currently govern the PUD property;

WHEREAS, the developer has requested an amendment to the PUD zoning to allow for a zero lot line setback on all lots whose rear property line is adjacent to the 100' buffer or a dry retention area, with no rear or abutting home, a zero lot line set back on all lots whose rear property line is adjacent to any area not containing a buildable lot or abutting home and a 10' set back from the road Right-of-Way for those lots located on NE 123rd Trail. (Lots specifically listed in Section c. – Residential);

WHEREAS, the City of Wildwood requires a PUD Ordinance to specify terms and conditions of the PUD zoning.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Wildwood, Florida, as follows:

Section 1: Property Description and Zoning Classification.

- a. The following described property, owned by Parkwood Sumter Properties, Inc., is located in the City of Wildwood, Florida:

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING ALL OF THE NW ¼ OF THE SW ¼ OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, TOGETHER WITH ALL OF THE NE ¼ OF THE SE ¼ OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST. SAID LANDS LYING IN SUMTER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE NORTH 89°32'22" WEST ALONG THE NORTH LINE OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1324.68 FEET TO THE NORTHEAST CORNER OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE NORTH 89°32'42" WEST ALONG THE NORTH LINE OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1337.48 FEET TO THE NORTHWEST CORNER OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE SOUTH 00°20'46" WEST ALONG THE WEST LINE OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1323.66 FEET TO THE SOUTHWEST CORNER OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE SOUTH 89°30'54" EAST ALONG THE SOUTH LINE OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1336.63 FEET TO THE SOUTHWEST CORNER OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE SOUTH 89°28'04" EAST ALONG THE SOUTH LINE OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1325.21 FEET TO THE SOUTHEAST CORNER OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE NORTH 00°21'37" EAST ALONG THE EAST LINE OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1326.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,526,072 SQUARE FEET (80.9475 ACRES) MORE OR LESS, INCLUDING RIGHT-OF-WAY.

- b. The above-described property shall be referred to in this ordinance as the PUD property.

Section 2:

PUD property is subject to the following terms and conditions:

a. General

1. Development of this project shall be governed by the contents of this ordinance and applicable sections of the City of Wildwood Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City.
2. Where in conflict, the terms of this ordinance shall take precedence over the City of Wildwood Land Development Regulations and Code of Ordinances, and all other applicable rules, regulations and ordinances of the City.
3. Unless otherwise noted, the definition of all terms shall be the same as the definitions set forth in the City of Wildwood Land Development Regulations.
4. The purpose of this PUD is to:
 - i. Create an attractive and high-quality environment which is compatible with the scale and character of the local environment;
 - ii. Protect and enhance the environment, and promote sustainable development principles;
 - iii. Develop a residential area that is safe, comfortable and attractive to pedestrians;
 - viii. Maximize open space in the development.

b. Land Uses

The Planned Unit Development is residential in nature and elements in the plan include single family residential, clubhouse pool area and open space areas. The proposed conceptual plan is attached hereto as exhibit "A".

Total Project:	80.947 acres	
Residential:	48.485 acres	
Amenities/Recreation	4.950 acres	
Open Space:	26.447 acres	Exceeds 25% minimum
Dedicated ROW	1.065 acres	

Non-substantial deviations from the acreages shall be allowed provided there is no increase in density or intensity.

The residential component of the development consists of 378 single family residential units on approximately 48.5 acres. The maximum density shall be 6 units per acre. The project may contain a mix of residential uses.

Single Family Lot Set-Backs

Front – 25 feet
Side – 10 feet
Side – zero lot line
Rear – 10 feet with the exception of properties listed below

Zero lot line set back shall apply on all lots whose rear property line is adjacent to the 100' buffer or a dry retention area, with no rear or abutting home, more specifically:

Lots 1-18
Lots 27
Lots 35-37
Lots 45
Lots 57-59
Lots 76-83, 89
Lots 142-197
Lots 203-218
Lots 245-252
Lots 256-261
Lots 264-268
Lots 284-326

Zero lot line set back on all lots whose rear property line is adjacent to any area not containing a buildable lot or abutting home, more specifically:

Lots 19-24
Lots 50-53
Lots 219-235
Lot 348
Lots 367-368
Lots 376-378

The zero rear lot line on the above listed lots, shall apply only to accessory structures. On lots with an approved zero rear lot line for accessory structures, the set back from the house shall be a minimum of 5 feet.

A 15' set back from the road Right-of-Way for those lots located on NE 123rd Trail, more specifically:

Lots 25-26
Lots 73-75
Lots 198-202
Lots 236-244
Lots 271-278
Lots 327-333

Maximum Building Height: 3 stories or 35 feet, unless jointly approved by the Sumter County Fire Department and the City Commission.

c. Recreation

1. The project shall contain a clubhouse, pool, picnic pavilions, sporting areas and playground area.
2. The minimum allocation of open space areas shall be the following 25% of the gross project site or 20.24 acres.

The open space system shall be provided and calculated as specified in the plans originally approved by Sumter County and may include, but not be limited to, project buffer areas, recreation area, landscaped areas, and portions of storm water management system. The open space shall be interconnected wherever possible to provide a continuous network within and adjoining the site.

d. Maintenance of Common Areas

Maintenance and repair of structures, lawn mowing, and landscaping maintenance of all common and residential areas within the Project shall be the responsibility of the property owner, at no cost or obligation to the City. Guidelines shall be agreed upon by the developer and the City of Wildwood. Should the landlord/property owner/developer fail to timely perform these requirements, the City has the right, but not the obligation, to enforce these requirements on the landlord/property owner/developer and be reimbursed for reasonable attorney's fees, costs and expenses. . A failure by the City to enforce this right shall not constitute a waiver.

e. Enforcement of Rules and Regulations

The developer/owner shall develop and provide rules and regulations which shall be binding and enforceable upon all tenants. Such rules and regulations shall be satisfactory to the City of Wildwood or its designated agent prior to permits being issued for construction of the improvements. If the property owner/landlord fails to enforce the rules and regulations, then the City of Wildwood shall have the right, but not the obligation, to enforce such rules and regulations upon the developer or landlord and the City should be entitled to reasonable attorney's fees and costs for enforcement regardless of whether or not a suit has been filed. . A failure by the City to enforce this right shall not constitute a waiver.

f. Amendments

Any substantial deviation from the terms of this Ordinance, shall be approved by the City Commission in accordance with the legal procedures to amend zoning ordinances.

Section 3: Consistent with Comprehensive Plan.

The zoning shall be consistent with City's Comprehensive Plan.

Section 4: Official Zoning Map.

The Development Services Director, or designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Wildwood, Florida, to include said designation.

Section 5: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 6: Conflict.

With regard to the PUD property, this ordinance shall prevail if there is a conflict with any other ordinance. However, to the extent there is no conflict, all other ordinances are applicable to the PUD property.

Section 7: Effective Date.

This Ordinance shall become effective upon the approval of the City's 2035 Comprehensive Plan.

PASSED AND ORDAINED in regular session of the City Commission of the City of Wildwood, Sumter County, Florida, this ____ day of _____, ____.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: _____
Joseph Jacobs, City Clerk

ED WOLF, MAYOR

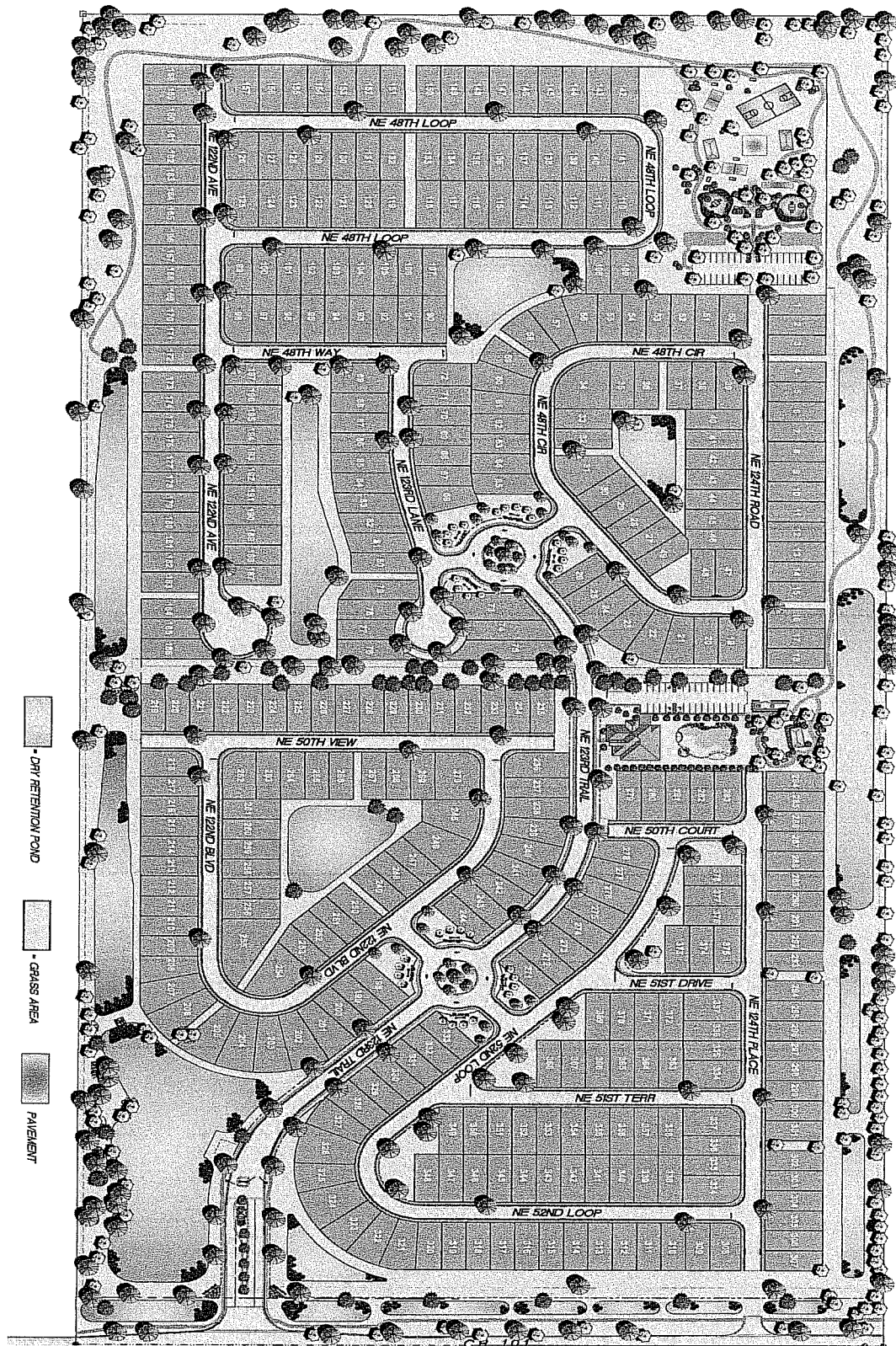
First Reading: _____

Second Reading: _____

Approved as to Form:

Jerri A. Blair, City Attorney

(2) Ordinance No. O2010-04, an ordinance reclassifying the rezoning of Parkwood Sumter Properties from county PUD to City PUD



ORDINANCE #O2010-05

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, COUNTY OF SUMTER, STATE OF FLORIDA; RECLASSIFYING THE ZONING FROM GENERAL MIXED USE – GM TO PLANNED UNIT DEVELOPMENT FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA OWNED BY ACORN INVESTMENTS, LLC; PROVIDING FOR THE TERMS AND CONDITIONS OF THE PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; ; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Wildwood, Florida, as follows:

Section 1: Property Description and Zoning Classification.

- a. The following described property, owned by Acorn Investments, LLC, is located in the City of Wildwood, Florida:

LEGAL DESCRIPTION:

THAT PORTION OF THE SW1/4 OF SECTION 20, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY , FLORIDA, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY OF COUNTY ROAD 472 AND EAST OF THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY 301 AND NORTH OF THE NORTH RIGHT-OF-WAY OF COUNTY ROAD 114 AND WEST OF THE WEST RIGHT-OF-WAY OF THE CSX TRANSPORTATION SYSTEMS RIGHT-OF-WAY.

LESS AND EXCEPT THE FOLLOWING SIX PARCELS:

LOTS 17 AND 18, BLOCK 29, WILDWOOD ESTATES AS RECORDED IN PLAT BOOK 2 PAGE 58-1/2, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA;

AND LESS

LOTS 4 AND 5, BLOCK 46, SAID WILDWOOD ESTATES;

AND LESS:

THE EAST 1/2 OF PEACHTREE PLACE, SAID WILDWOOD ESTATES, BOUNDED ON THE NORTH BY THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 4,

BLOCK 46 AND BOUNDED ON THE SOUTH BY THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 5, BLOCK 46;

AND LESS

ANY PORTION OF LOTS 13 AND 14, BLOCK 20, SAID WILDWOOD ESTATES, LYING WITHIN THE ABOVE DESCRIBED LAND;

AND LESS:

ANY PORTION OF THE NORTH 1/2 OF ASH STREET, SAID WILDWOOD ESTATES, LYING ADJACENT TO SAID LOTS 13 AND 14, BLOCK 20, SAID WILDWOOD ESTATES;

AND LESS

A PARCEL OF LAND LYING IN THE SOUTHWEST 1/4 OF SECTION 20 TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4, OF SAID SECTION 20; THENCE S89°08'13"E ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 20, A DISTANCE OF 434.10 FEET; THENCE DEPARTING SAID NORTH LINE S01°04'49"W, A DISTANCE OF 42.72 FEET MORE OR LESS TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD NO. 472 AND THE POINT OF BEGINNING; THENCE S89°40'44"E ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1,687.61 FEET MORE OR LESS TO THE WEST RIGHT OF WAY LINE OF THE CSX RAILROAD; THENCE S11°40'12"E ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 884.55 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE S69°06'27"W, A DISTANCE OF 313.41 FEET; THENCE S55°20'58"W, A DISTANCE OF 75.50 FEET; THENCE S41°44'21"W, A DISTANCE OF 199.14 FEET; THENCE S00°00'00"W, A DISTANCE OF 153.54 FEET; THENCE S90°00'00"W, A DISTANCE OF 1,402.11 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE EAST HAVING A CHORD BEARING AND DISTANCE OF N00°41'42"E, 302.35 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°46'13", A DISTANCE OF 302.36 FEET; THENCE N01°04'49"E, A DISTANCE OF 1,030.41 FEET TO THE POINT OF BEGINNING.

- b. The above-described property shall be referred to in this ordinance as the PUD property.
- c. The PUD property consists of parcel number # D20=120.

Section 2: The PUD property is subject to the following terms and conditions:

a. General.

1. Development of this Project shall be governed by the contents of this ordinance and applicable sections of the City of Wildwood Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City.
2. Where in conflict, the terms of this ordinance shall take precedence over the City of Wildwood Land Development Regulations and Code of Ordinances, and all other applicable rules, regulations and ordinances of the City.
3. Unless otherwise noted, the definition of all terms shall be the same as the definitions set forth in the City of Wildwood Land Development Regulations.
4. The purpose of this PUD is to:
 - i. Meet the requirement, as set forth in City of Wildwood, Ordinance #431, that any parcel of property zoned General Mixed Use that is over ten acres must follow the PUD procedure;
 - ii. Provide for a multi-use development;
 - iii. Create an attractive and high-quality environment which is compatible with the scale and character of the local environment;
 - iv. Protect and enhance the environment, and promote sustainable development principles;
 - v. Develop a residential area that includes pedestrian walkways;
 - vi. Provide commercial facilities to serve the new development and to enhance existing provision in the area;
 - vii. Provide drive aisles for use by residents and patrons that encourage pedestrian travel;
 - viii. Provide allowance for open space in the development.

b. Land Uses.

The proposed Planned Unit Development conceptual plan, attached hereto as Exhibit “A”, is incorporated into this ordinance. Elements in the proposed plan include residential and commercial uses. The approximate acreage devoted to each land use shall be as follows:

Total Project:	78.93 acres	
Residential:	61.50 acres:	740 units (12 units per acre)
Commercial and/ or Institutional:	17.43 acres:	145,000 square feet
Minimum Open Space:	19.73 acres	25% of the Project

c. Residential.

The residential component of the development consists of 740 units on approximately 61.50 acres. Non-substantial deviations from the acreages shall be allowed provided there

is no increase in density or intensity. The maximum density shall be 12 units per acre. The Project shall contain a minimum of at least two (2) residential housing types which may include townhomes, apartments, single family attached, and units located above commercial/office/institutional buildings.

The residential component of the Project shall adhere to the Residential Design Standards.

Maximum Building Height: 3 stories or 35 feet, unless jointly approved by the Sumter County Fire Department and the City Commission.

d. Commercial and/or Institutional .

The commercial and/ or institutional component of the development consists of 145,000 square feet on approximately 17.43 acres. Non-substantial deviations from the acreages shall be allowed provided there is no increase in density or intensity. The commercial and institutional component shall adhere to the City's Commercial Design Standards.

Permitted Uses:

- Retail
- Office
- Banks and financial institutions
- Personal service establishment
- Restaurant
- Convenience store
- Gasoline station
- Drug store/pharmacy
- Hardware store
- Drive-through establishments for retail and personal services
- Other similar commercial and office uses
- Institutional uses such as congregate care facilities, assisted living facilities, medical and dental offices and other similar uses.

Prohibited Commercial Uses:

- Retail and wholesale establishments for sale, repair, or service of automobiles, heavy machinery, farm equipment, and non-retail establishments for the distribution or outdoor storage of lumber, building and landscaping supplies and other similar uses.

e. Recreation and Open Space.

1. Recreation

The Project shall contain four (4) recreation amenities. Said amenities shall be determined during subdivision or site plan approval.

2. Open Space

The minimum allocation of open space areas shall be the following: (i) 25% of the gross land area of Project site; or (ii) 19.73 acres.

The project contains land within the 100 Year Floodplain. The land area contained within the floodplain may be utilized for stormwater retention.

The project contains a wetland conservation and mitigation area of approximately 1.07 acres as determined by the Southwest Florida Water Management District. A twenty five (25) foot average and fifteen (15) foot minimum buffer shall be provided. Encroachment into the mitigation area shall not be permitted.

The open space area shall be provided and calculated as specified in the Residential Design Standards and may include, but not be limited to, Project buffer areas, recreation area, landscaped areas, and portions of stormwater management system. The open space shall be calculated on an aggregate basis over the entire PUD Property, notwithstanding that the Project may be developed in phases.

f. Public Facilities.

1. Potable Water, Wastewater, and Reuse.

Each structure on the Project shall be connected to the City Potable Water and Sanitary Sewer system, prior to any certificates of occupancy being issued for such structure on the Project. The Project will connect to the City reuse system upon availability. Expansion of the City Potable Water and Sanitary Sewer systems, including necessary utility easements, shall be negotiated by separated Developer's Agreement between the City and the Owner/Developer. Said agreement shall specify cost and timetables for delivery of services.

2. Solid Waste.

Waste services shall be provided by the City of Wildwood.

3. Drainage.

The maintenance of the drainage system shall be the responsibility of the property owner or its successor or assign and shall meet the requirements of the Southwest Florida Water Management District (the "District") and the level of service standards set forth by the City.

4. Transportation.

- i. The number of ingress and egress points along US 301 shall be determined by the Florida Department of Transportation and the City of Wildwood. The location shall be determined during site plan or subdivision approval.
- ii. There shall be two ingress and egress points on CR 114 for the Project. The location shall be determined at the t by Sumter County and the City of Wildwood.
- iii. An egress point shall be provided along CR 472. The location shall be determined during site plan or subdivision approval and approved by Sumter County and the City of Wildwood.
- iv. The Project shall provide transportation connectivity between the residential and commercial land uses. A minimum of two (2) transportation connections between the residential and commercial area shall be provided. The Project shall adhere to the Residential and Commercial Design Standard relating to internal and external interconnectivity for all modes of transportation for the Project.

5. Streets and Sidewalks.

- i. Sidewalks shall be required in accordance with the City's Residential Design Standards, as amended.
- ii. The City and the developer will enter into a written Developer's Agreement concerning maintenance of the streets and sidewalks.
- iii. Street and sidewalk interconnectivity between the residential and commercial uses on site shall be provided.
- iv. A five foot sidewalk shall be provided within the landscape buffers along CR 114, CR 472 and US 301.

g. Landscaping Requirements.

All landscaping and buffer requirements shall be in accordance with the City's Design Standards.

1. All landscaped and common areas shall be irrigated in accordance with the City's Residential and Commercial Design Standards.
2. All landscaping shall have appropriate irrigation and shall utilize reclaimed water if utility lines and adequate capacity is made available to the boundary of the Project.
3. Any tree removal or replacement will be subject to the City's Tree Ordinance #594.

h. Lighting.

Decorative lighting shall be provided as required in the City's Commercial or Residential Design Standards, as amended.

i. Utilities.

All on site utilities shall be underground. Developer is responsible for running utilities underground for its development. The City shall insure that any utilities within any public utilities easement serving lands other than the Project shall be underground.

j. Signage.

All signage shall comply with the City's Commercial Design Standards. If signage is installed within the twenty foot (20') wide City of Wildwood easement along the perimeter of the Project, the City shall not be responsible for any damage to signage as caused by the City's exercise of the easement.

k. Maintenance of Common Areas.

Maintenance and repair of structures, lawn mowing, and landscaping maintenance of all common areas within the Project shall be the responsibility of the property owner or its designee such as a property owners association, at no cost or obligation to the City. The developer/owner shall provide Guidelines for the maintenance of common areas, which Guidelines shall be submitted to the City for its approval, which approval shall not be unreasonably withheld, conditioned or delayed. The City will be granted the right, but not the obligation, to enforce the common areas maintenance obligations against the landlord/property owner/developer, as may be applicable, and to be reimbursed for the reasonable attorney's fees, costs and expenses, as may be reasonably incurred by the City. . A failure by the City to enforce this right shall not constitute a waiver.

l. Enforcement of Rules and Regulations.

For the maintenance of the common areas referenced in Section k above, the applicable provisions in the Guidelines: (i) shall be made applicable to the commercial and the residential segments of the Project; and (ii) shall be reviewed/approved by the City of Wildwood a certificate of occupancy being issued for completed improvements; and (iii) will provide that the City of Wildwood shall have the right, but not the obligation, to enforce such maintenance obligations against a violating party and that the City should be entitled to reasonable attorney's fees and costs for enforcement regardless of whether or not a suit has been filed. A failure by the City to enforce this right shall not constitute a waiver.

m. Impact Fees.

The Project shall be subject to all impact fees applicable at the time of permitting. All impact fees are to be paid before issuance of any building permit. Proof of Sumter County impact fees paid shall be provided to the City of Wildwood. Any impact fees adopted by the City of Wildwood, Sumter County or the Sumter County School Board prior to issuance of building permits shall also be applicable to the Project.

All impact fee credits for right-of-way donations and road construction completed by this Project will be subject to an appropriate agreement with the appropriate government agencies.

n. Amendments.

Any substantial deviation from the PUD Concept Plan, or deviation from the terms of this Ordinance, shall be approved by the City Commission in accordance with the legal procedures to amend zoning ordinances.

o. Expiration of PUD.

Actual construction must begin within the planned unit development within 24 months of the later of the final adoption of the PUD agreement or rezoning to PUD including the expiration of all appeal periods. If no construction has started on the approved PUD within the allotted time frame, the planned unit development shall lapse and be of no further effect. If the planned unit development lapses under the provisions of this code, the PUD site reverts to the original zoning classification. The City Commission may extend the PUD for periods of up to six months provided the applicant can show good cause why said development was delayed under the originally approved development plan. An extension may be granted for delays beyond the control of the owner such as market conditions.

Section 3: Consistent with Comprehensive Plan.

The zoning classification of the PUD property is consistent with the Comprehensive Plan of the City of Wildwood, Florida.

Section 4: Official Zoning Map.

The Development Services Director, or designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Wildwood, Florida, to include said designation.

Section 5: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 6: Conflict.

With regard to the PUD property, this ordinance shall prevail if there is a conflict with any other ordinance. However, to the extent there is no conflict, all other ordinances are applicable to the PUD property.

Section 7: Effective Date.

This Ordinance shall become effective immediately upon its approval and adoption by the City Commission.

PASSED AND ORDAINED in regular session of the City Commission of the City of Wildwood, Sumter County, Florida, this ____ day of _____, ____.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: _____
Joseph Jacobs, City Clerk

ED WOLF, MAYOR

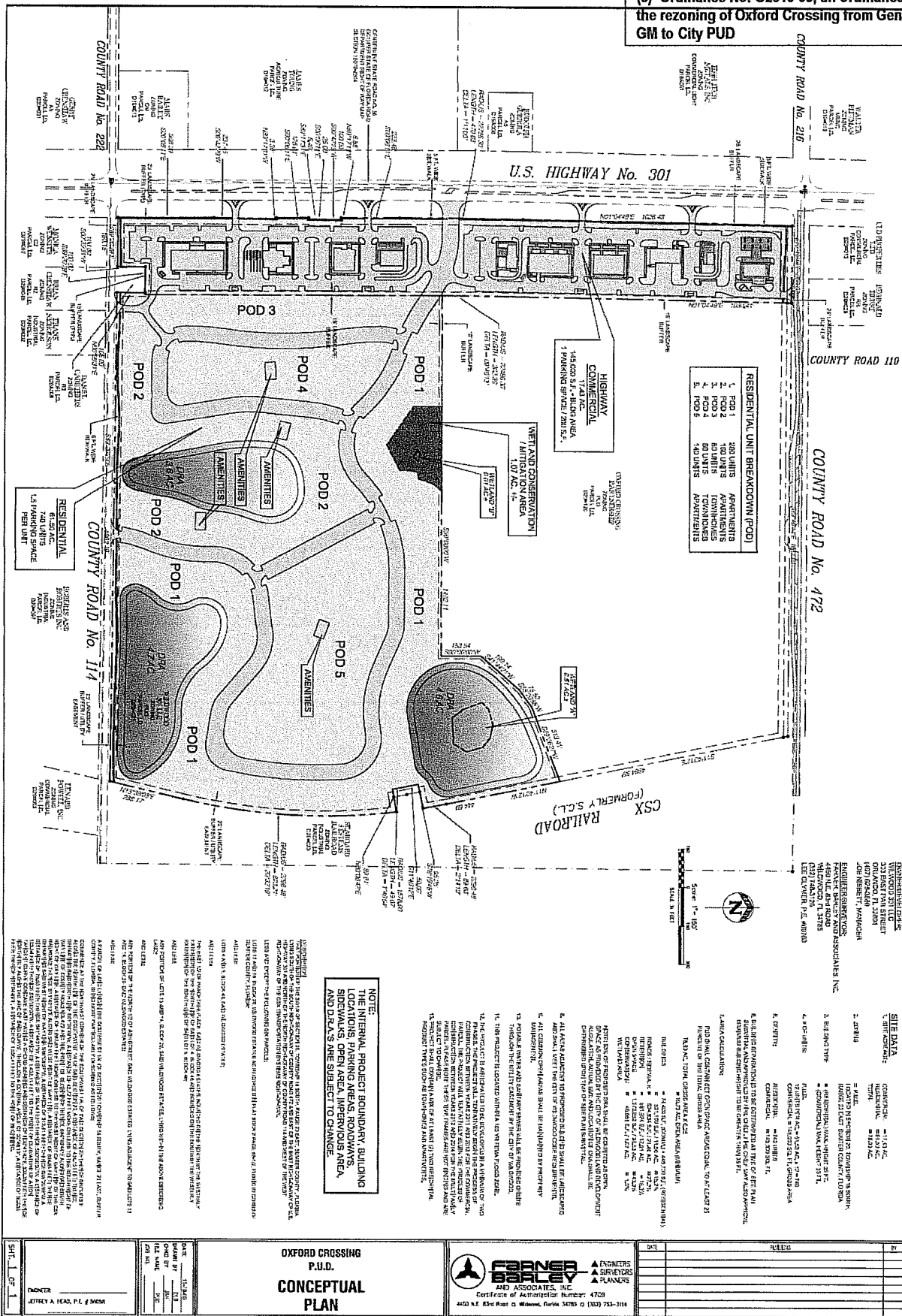
First Reading: _____

Second Reading: _____

Approved as to Form:

Jerri A. Blair, City Attorney

3. NEW BUSINESS - ACTION REQUIRED
b. ORDINANCES - 1ST READ ONLY (NO VOTE)
(3) Ordinance No. 02010-05, an ordinance reclassifying the rezoning of Oxford Crossing from General Mixed Use-GM to City PUD



ORDINANCE NO. 02010-08

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA,
CHANGING NAMES OF CERTAIN STREETS LOCATED
WITHIN THE LAKESIDE LANDINGS DEVELOPMENT;
PROVIDING FOR CONFLICT; PROVIDING FOR AN
EFFECTIVE DATE.

BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida,
as follows:

SECTION 1. Names of the following streets located within the Lakeside Landings
subdivision plat as recorded at Plat Book 4, Page 22, Sumter County, Florida are amended
as follows:

<u>Present Street Name</u>	<u>New Street Name</u>
<u> LAKESIDE LANDING </u>	<u>LAKE MIONA WAY</u>

SECTION 2. The name change shall be effective upon submission of the name
change to the 911 coordinator.

SECTION 3. The new street names shall be submitted to the 911 coordinator by
the City.

SECTION 4. The street signs shall be posted in a manner to comply with 911
requirements. Owner/developer shall bear all costs of changing the name including the
cost of signs and posting the signs.

SECTION 5. All ordinances or parts of ordinances in conflict herewith, be, and the
same are hereby repealed.

SECTION 6. If any section, sentence, clause or phrase of this Ordinance is held to
be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall
in no way effect the validity of the remaining portions of said Ordinance.

SECTION 7. Effective Date. This Ordinance shall take effect immediately upon its
final adoption by the City Commission.

PASSED AND ORDAINED this ____ day of _____, 2010, by the City
Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: _____
Joseph Jacobs, City Clerk

Ed Wolf, Mayor

First Reading: _____

Second Reading: _____

Approved as to form:

Jerri A. Blair, City Attorney

C:\Documents and Settings\User\My Documents\AAA-LISA DOCS\COW-LAP\ord\O2010-08..renaming.street.wpd

CITY COMMISSION OF THE CITY OF WILDWOOD

EXECUTIVE SUMMARY

SUBJECT: Eminent Domain

Proposed Ordinance 2010-09

REQUESTED ACTION:

☐ Work Session (Report Only)
☒ Regular Meeting

DATE OF MEETING: 3/22/10
☐ Special Meeting

CONTRACT:

☒ N/A
Effective Date: _____
Managing Division / Dept: _____

Vendor/Entity: _____
Termination Date: _____

BUDGET IMPACT: _____

☐ Annual
☐ Capital
☒ N/A

FUNDING SOURCE: _____
EXPENDITURE ACCOUNT: _____

N/A

HISTORY/FACTS/ISSUES:

As the City continues to grow and develop, the need for improvements to roadways, City properties and public areas will likely occur. In situations where private property is needed for the betterment of the City and general public, eminent domain procedures may have to take place.

In certain cases, property acquisition causes the parcel, structure or use on the property to become nonconforming under the City's land development regulations. Therefore, it is necessary to have procedures in place that will allow exemptions to zoning regulations to properties affected by eminent domain.

Please keep in mind that the City does not currently have a need to commence taking procedures or declare any property an eminent domain lot. As we look to the future, it is better to be prepared than to draft ordinances after-the-fact, if at all possible.

M. Peavy 3/18/10

Melanie Peavy
Development Services Director

ORDINANCE NO. O2010-09

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA;
PROVIDING FOR EXEMPTIONS FROM SET BACKS, LOT
SIZE AND SIGNAGE FOR LOTS REDUCED IN SIZE BY
EMINENT DOMAIN; PROVIDING FOR INTENT AND
PURPOSE; PROVIDING FOR EMINENT DOMAIN LOTS;
PROVIDING FOR DEVELOPMENT OF EMINENT DOMAIN
LOTS; PROVIDING FOR CONFLICT; AND PROVIDING FOR
AN EFFECTIVE DATE.

Be it ordained by the City Commission of the City of Wildwood, Florida:

SECTION 1. Intent and purpose of ordinance.

- a) Pursuant to Chapters 73 and 74, Florida Statutes, the City and any other governmental or public agencies have the authority to acquire property in order to provide public improvements necessary to adequately serve the general public and citizens of the City. In certain cases, acquisition causes the parcel, structure or use on the property to become nonconforming under the city's land development regulations.
- b) It is the intent of this ordinance to provide exemptions from the City's land development regulations as to set back, lot size, signage, landscaping/buffering and other such regulations to lots that have been reduced in size due to condemnation action.
- c) Allowing exemptions for lots which have been subjected to the eminent domain process, either through acquisition or negotiation, is intended to prevent any adverse impact to the lot owner's property as a result of the acquisition process and to allow the continued use of the property in a manner similar to its preacquisition condition. By providing for such exemptions after condemnation, the cost of acquisition of real property needed for public facility improvements would be reduced, thus benefitting the public.

SECTION 2. Eminent domain lots.

- a) For purposes of this ordinance, any lot or parcel which has been reduced in size due to an eminent domain acquisition shall be designated as an eminent domain lot (EDL).

- b) An EDL shall continue to be recognized as a legal lot or parcel for all purposes of the city land development regulations except as otherwise provided herein and shall be considered a nonconforming use as defined in the City's Land Development Regulations with all rights and privileges as set forth in the City's Land Development Regulations.

SECTION 3. Development of EDLs.

- a) Unless it would create a safety hazard, an EDL may continue to be used as it was before its size was reduced by condemnation.
- b) Unless it would create a safety hazard, an EDL may be developed as it could have been legally developed prior to the reduction in size except as provided herein.
- c) Building permits may be issued for an EDL to allow the erection, expansion, alteration, or replacement of any legal use together with accessory buildings as permitted within the applicable zoning classification as follows:

(1) Single-family dwellings and their accessory buildings, constructed or to be constructed, upon an EDL shall not be required to comply with the minimum setback requirements applicable in the zoning district in which the EDL is located. Every effort shall be made to comply with the following minimum setback requirements: a minimum setback of fifteen (15) feet from any right-of-way line and five (5) feet from any side and rear lot line. No accessory structure in any residential district shall be permitted less than five (5) feet from a side or rear lot line and fifteen (15) feet from any front lot line unless approved by the Development Services Department. Existing single family dwellings shall be allowed to expand, be altered or replaced, provided that such improvements do not further encroach into the established setbacks, if less than the minimum for the district in which they are located.

(2) Undeveloped commercial or industrial zoned EDL parcels or lots shall not be required to meet minimum lot area and/or width requirements but shall conform with all other district regulations for the district in which the EDL is located.

(3) Developed commercial or industrial zoned EDL parcels or lots shall not be required to meet minimum

lot area and/or width requirements and shall be allowed to expand, alter, or replace existing structures provided that such improvements do not further encroach into the established setbacks if less than the minimum for the district in which the EDL is located.

(4) Signage shall not be required to meet required setback provisions, provided, however, no sign shall be located so as to cause a safety hazard.

(5) An EDL's Landscaping and/or buffering shall not be required to meet the City's Land Development Regulations requirements but any side and rear requirements shall remain in effect.

(6) If the size of any parking area is reduced, or if the parking area must be relocated because the terms and conditions of the City Land Development Regulations cannot be met, a variance may be granted.

SECTION 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase of this ordinance, or any particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5. It is the intention of the City Commission of the City of Wildwood that the provisions of this Ordinance shall become and be made part of the City of Wildwood Code of Ordinances and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section", "article", or such other appropriate work or phrase to accomplish such intentions.

SECTION 6. This ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ORDAINED this ____ day of _____, 2010, by the City Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: _____
Joseph Jacobs, City Clerk

Ed Wolf, Mayor

First Reading:_____

Second Reading:_____

Approved as to form:

Jerri A. Blair
City Attorney

C:\Documents and Settings\User\My Documents\AAA-LISA DOCS\COW-LAP\ord\ords\O2010-09.ord

RESOLUTION NO. R2010-08

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA DETERMINING THAT CERTAIN PROPERTY IS SURPLUS; DETERMINING THE MANNER OF DISPOSAL OF SAID PROPERTY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Wildwood is the owner of certain property that has been utilized in the various Departments of the City Operations ; and,

WHEREAS, the property as described can further be described as:

WASTEWATER DEPARTMENT SURPLUS PROPERTY		
ITEM	PROPERTY #	SERIAL #
1. Calculator	100021	
2. VCR		
3. Keyboard		43304328
4. Time clock		
5. Hand held radios (3)		
6. Charges for radios (5)		
7. Power Supply		
8. Printer/Copier (Sharp)		65114274
9. D.O. Meter	350013	YSI51B
10. TV		
11. Intercom		
12. Printer/Copier (Brother)		u61591A7F459209
13. Aquatrol (Hack)	350144	
14. Monitor (Gateway)		704025848
15. CPU	350076	
16. Monitor (Dell)		2221DA106CC8
17. Monitor (ADC)		D9SG25C003090
18. Monitor (Gateway)		G8C033188
19. Printer (HP)	350049	
20. Printer/Copier (HP)		SGG11E3D
21. Monitor (Viewsonic)	350062	
22. Sample Refrigerator		
23. Lead Acid Batteries		
24. 30 Bin Cabinet		
25. Office Chairs (2)		
26. Misc. Controllers/Switches/Breakers		
BUILDING SERVICES DEPARTMENT SURPLUS INVENTORY		
Tag Number	Item	Description
150147	Keyboard	Microsoft - excess
150167	Printer	HP Officejet - non-functional
150166	Printer	HP Officejet - non-functional
350252	Calculator	DR-270HD - non-functional

130114	UPS	Power surge protector - excess
150154	Monitor	Yundai - excess
*170929	Transcriber	Sony BM-75 - non-functional

*State of Florida Tag

**PARKS & RECREATION
SURPLUS INVENTORY**

ITEM	PROPERTY #	SERIAL #
Acer 19" Computer Monitor (Model # AL1916W A) (Does not work)	Not Numbered	ETL5209163715005E16351

**PHYSICAL ENVIRONMENT DEPARTMENT
SURPLUS INVENTORY**

ITEM	PROPERTY #	CONDITION
Genica Keyboard Model #GN-151	300013	Does not work
Genica Keyboard Model #GN-151	300016	Does not work
Genica Keyboard Model #GN-151	300007	Does not work
Genica Keyboard Model #GN-151	300010	Does not work

**CITY CLERK'S DEPARTMENT
SURPLUS INVENTORY**

Asset#	Description	Serial No.	Status
130115	HP1220C DeskJet Printer	SGOA3131B5	Intermittent Problems
130125	HP560C DeskJet Printer	3G43P2170JG	Functions, Excess
130103	HP1000C DeskJet Printer	3G77812098	Functions, Excess
n/a	(5) Mouse (basic)	n/a	Unknown
350243	InterTel Phone Base	0U82MO223HS	In-Op
(none)	InterTel Phone Base	0U82MO223HQ	In-Op
n/a	(1) Handset and (2) Teleph Cords	n/a	In-Op
120091	BackUps BK500	PB9916311986	Obsolete, In-Op
100168	BackUps BK500	PB0022015089	Obsolete, In-Op
130189	Ativa CX10B Shredder	n/a	In-Op
n/a	Privacy Guard PS029MB Shredder	n/a	In-Op

WHEREAS, the City Commission of the City of Wildwood has determined that the Sumter County Solid Waste Department will sponsor a Household/Business Electronics & hazardous mobile collection service on Saturday, March 27, 2010, 9 a.m. to 3 p.m. at Wildwood high School, 700 Huey Street, and that the property previously described can be processed at this mobile collection site, the property as identified is hereby declared surplus for reasons of disposition

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA, THAT:

1. The items identified as property are hereby declared surplus property.
2. The items identified as property are to be disposed of by being transported to the mobile collection site sponsored by the Sumter County Solid Waste Department at Wildwood High.

3. This Resolution shall take effect immediately upon its final adoption by the City Commission of the City of Wildwood.

DONE AND RESOLVED, this 22 day of March, 2010, in regular session, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

S E A L

Ed Wolf, Mayor

ATTEST: _____
Joseph Jacobs, City Clerk

BILLS FOR APPROVAL
City of Wildwood, Florida
March 22, 2010

3. NEW BUSINESS – ACTION REQUIRED f. Financial - 1. Bills for Approval

CITY COMMISSION-LEGISLATIVE DEPARTMENT

1	Avenet, LLC.	Service Package Web Site	\$	504.00
2	PGIT	Workers Comp Insurance	\$	14.19
3	Sprint - Nextel	Cell Phone Service	\$	29.49

CITY MANAGER-EXECUTIVE DEPARTMENT

4	Payroll	March 14, 2010 Pay Period - 3 Employees	\$	9,207.46
5	Bright House	Internet Service	\$	21.00
6	Capital Office Products	Office Supplies	\$	20.25
7	Ernie Morris	Office Supplies	\$	73.33
8	FL Dept of Management Services	Telephone Service	\$	64.84
9	PGIT	Workers Comp Insurance	\$	86.57

CITY CLERK-FINANCIAL & ADMINISTRATIVE DEPARTMENT

10	Payroll	March 14, 2010 Pay Period - 4 Employees	\$	10,068.52
11	A-Line Fire & Safety, Inc.	Annual Maintenance and New Extinguishers	\$	49.99
12	Bright House	Internet Service	\$	27.95
13	Carr Riggs and Ingram (formerly Davis Monk)	Audit Work Completed 2009 Annual Audit	\$	5,000.00
14	Cason and Gaskins TV Inc	Batteries	\$	4.99
15	Century Link	Phone Service	\$	38.47
16	Ernie Morris	Office Supplies	\$	66.16
17	FL Dept of Management Services	Telephone Service	\$	132.48
18	Office Depot	Office Supplies	\$	33.12
19	PGIT	Workers Comp Insurance & General Add-Ons	\$	1,367.16
20	Sprint - Nextel	Cell Phone Service	\$	29.43
21	Terminix	Monthly Pest Control Contract	\$	105.00

BUILDING SERVICES

22	Payroll	March 14, 2010 Pay Period - 3 Employees	\$	7,165.71
23	Bright House	Internet Service	\$	21.00
24	Capital Office Products	Office Supplies	\$	72.99
25	Ernie Morris	Office Supplies	\$	56.40
26	FL Dept of Management Services	Telephone Service	\$	87.38
27	Ford Press	Building Inspection Plaques	\$	143.25
28	PGIT	Workers Comp Insurance	\$	516.98
29	Sprint - Nextel	Cell Phone Service	\$	39.49

DEVELOPMENT SERVICES

30	Payroll	March 14, 2010 Pay Period - 4 Employees	\$	8,853.62
31	Bright House	Internet Service	\$	28.00
32	Cason and Gaskins TV Inc	Computer Cable	\$	19.98
33	Ernie Morris	Office Supplies	\$	64.84
34	FL Dept of Management Services	Telephone Service	\$	64.84
35	PGIT	Workers Comp Insurance	\$	80.90
36	Sprint - Nextel	Cell Phone Service	\$	29.49
37	The Daily Commercial	Ads	\$	856.19

POLICE DEPARTMENT

38	Payroll	March 14, 2010 Pay Period - 26 Employees	\$	58,795.23
39	Affirmed Medical Services	First Aid Kit Supplies	\$	23.00
40	Capital Office Products	Office Supplies	\$	179.63
41	CarQuest	Brake Rotor,Pads, Water Pump, Battery, Etc.	\$	394.61
42	Cason and Gaskins TV Inc	RCA Cable, GP Yphono	\$	24.48

43	Ernie Morris	Office Supplies	\$	3.13
44	FL Dept of Management Services	Telephone Service	\$	135.30
45	Law Enforcement Supply	Blk Spotlight, Taclite Pro Pant, Shirts, Etc.	\$	422.84
46	Merritt Dept Stores, Inc	Shirts	\$	233.68
47	PGIT	Workers Comp Insurance	\$	3,262.02
48	Resource One	Cleaning Supplies	\$	(69.99)
49	Sprint - Nextel	Cell Phone Service	\$	272.92
50	Terminix	Monthly Pest Control Contract	\$	30.00
51	Wildwood Computer	DVI Y Splitter	\$	244.85

STREET DEPARTMENT, MECHANIC

52	Payroll	March 14, 2010 Pay Period - 9 Employees	\$	13,327.48
53	A-Line Fire & Safety, Inc.	Annual Maintenance and New Extinguishers	\$	181.14
54	Bright House	Internet Service	\$	79.95
55	Capital Office Products	Office Supplies	\$	1.58
56	CarQuest	Fuel Pump, Gear Box, Shop Towels,Coil Loom, Etc	\$	126.12
57	Cason and Gaskins TV Inc	I580 Holster	\$	9.99
58	Culligan	Cooler Rental and Bottled Water	\$	52.24
59	Duval Asphalt	Asphalt Patch	\$	2,533.32
60	Ernie Morris	Office Supplies	\$	39.28
61	FL Dept of Management Services	Telephone Service	\$	78.93
62	Interstate Batteries	Batteries	\$	204.25
63	MMD Computer Center, Inc	Reconfigured Wifi	\$	140.00
64	PGIT	Workers Comp Insurance	\$	1,834.30
65	Progress Energy	Electric Service	\$	178.00
66	Sprint - Nextel	Cell Phone Service	\$	217.44
67	Sumter County Solid Waste	Tipping Fee	\$	485.06
68	Sumter Electric	Electric Service	\$	155.71
69	Sumter Sanitation	Tipping Fee	\$	17,842.48
70	Terminix	Monthly Pest Control Contract	\$	14.00
71	US Health Works	Blood Alcohol, 8 Panel Nondot-Accident	\$	70.00
72	Valley National Gases	Argon, Oxygen, CO-2, Acetylene	\$	108.84

COMMUNITY RE-DEVELOPMENT

73	Payroll	March 14, 2010 Pay Period - 1 Employee	\$	2,471.03
74	Bright House	Internet Service	\$	7.00
75	FL Dept of Management Services	Telephone Service	\$	64.84
76	PGIT	Workers Comp Insurance	\$	23.04
77	Sprint - Nextel	Cell Phone Service	\$	29.49
78	The Daily Commercial	Ads	\$	121.08

GROWERS MARKET

79	Payroll	March 14, 2010 Pay Period - 1 Employee	\$	367.08
80	Bright House	Internet Service	\$	7.00
81	FL Dept of Management Services	Telephone Service	\$	64.84
82	Sprint - Nextel	Cell Phone Service	\$	29.49

PARKS AND RECREATION

83	Payroll	March 14, 2010 Pay Period - 3 Employees	\$	4,740.03
84	A-Line Fire & Safety, Inc.	Annual Maintenance and New Extinguishers	\$	118.14
85	Bright House	Internet Service	\$	7.00
86	CarQuest	Hydraulic Fluid	\$	27.99
87	Ernie Morris	Office Supplies	\$	17.11
88	FL Dept of Management Services	Telephone Service	\$	64.84

89	Job Site Services, Inc	Port O Lets - Lake Deaton & Oxford Park	\$	150.00
90	John Deere Landscapes	Roundup Quikpro	\$	84.96
91	PGIT	Workers Comp Insurance	\$	467.44
92	Progress Energy	Electric Service	\$	82.78
93	Resource One	Cleaning Supplies	\$	227.91
94	Sprint - Nextel	Cell Phone Service	\$	58.98
95	Sumter Electric	Electric Service	\$	150.19
96	Terminix	Monthly Pest Control Contract	\$	30.00

COMMUNITY CENTER

97	A-Line Fire & Safety, Inc.	Annual Maintenance and New Extinguishers	\$	65.66
98	Bright House	Internet Service	\$	79.95
99	Resource One	Cleaning Supplies	\$	193.90
100	Sumter Electric	Electric Service	\$	1,475.99
101	Terminix	Monthly Pest Control Contract	\$	30.00

PHYSICAL ENVIRONMENT ADMINISTRATIVE DEPARTMENT

102	Payroll	March 14, 2010 Pay Period - 3 Employees	\$	5,107.59
103	A-Line Fire & Safety, Inc.	Annual Maintenance and New Extinguishers	\$	36.39
104	Bright House	Internet Service	\$	21.00
105	Carr Riggs and Ingram (formerly Davis Monk)	Audit Work Completed 2009 Annual Audit	\$	5,000.00
106	Ernie Morris	Office Supplies	\$	33.09
107	FL Dept of Management Services	Telephone Service	\$	109.94
108	Office Depot	Office Supplies	\$	33.12
109	PGIT	Workers Comp Insurance & General Add-On	\$	1,319.86
110	Terminix	Monthly Pest Control Contract	\$	15.00

WATER DEPARTMENT

111	Payroll	March 14, 2010 Pay Period - 9 Employees	\$	16,230.69
112	Affirmed Medical Services	First Aid Kit Supplies	\$	23.00
113	A-Line Fire & Safety, Inc.	Annual Maintenance and New Extinguishers	\$	246.14
114	Bright House	Internet Service	\$	79.95
115	CarQuest	MAF Sensor, Oil Seal, Battery, Terminals, Etc.	\$	540.62
116	Cason and Gaskins TV Inc	I580 Holster	\$	9.99
117	C.W. Roberts	Asphalt Pour	\$	61.77
118	Diversified Drilling Corporation	Champagne Farms	\$	28,462.50
119	Ernie Morris	Office Supplies	\$	40.10
120	FL Dept of Management Services	Telephone Service	\$	45.10
121	HD Supply Waterworks	Pipe, PVC, Restraints, Ball Valves	\$	583.48
122	Interstate Batteries	Battery	\$	82.45
123	PGIT	Workers Comp Insurance	\$	1,253.53
124	Plant Technicians	Environmental Testing	\$	832.50
125	Progress Energy	Electric Service	\$	2,253.97
126	Sprint - Nextel	Cell Phone Service	\$	225.44
127	Sumter Electric	Electric Service	\$	4,379.37
128	Sunshine State One Call	Locators for Month of February 2010	\$	98.95
129	Sunstate Meter & Supply, Inc.	Stubby Antenna Kit	\$	466.33
130	Terminix	Monthly Pest Control Contract	\$	30.00
131	The Dumont Company, Inc	Hypochlorite Solution, Clearflow PT-7036	\$	740.75

REFUSE DEPARTMENT

132	Payroll	March 14, 2010 Pay Period - 7 Employees	\$	17,737.71
133	CarQuest	Wiper Blades, Fuel Cap, Air Filter, Etc.	\$	228.94
134	FL Dept of Management Services	Telephone Service	\$	11.27

135	PGIT	Workers Comp Insurance	\$	3,184.41
136	Terminix	Monthly Pest Control Contract	\$	14.00
137	US Health Works	Blood Alcohol, 8 Panel Nondot-Accident	\$	70.00
138	Wildwood Truck Wash, Inc	Refuse Truck Washing	\$	255.00

WASTEWATER DEPARTMENT

139	Payroll	March 14, 2010 Pay Period - 16 Employees	\$	32,045.61
140	A-Line Fire & Safety, Inc.	Annual Maintenance and New Extinguishers	\$	193.14
141	Almac Unlimited, Inc.	Cone w/Reflective Stripes, Gloves	\$	329.58
142	Capital Office Products	Office Supplies	\$	169.87
143	CarQuest	Idler Arm, Pitman Arm, Battery, Super HC V Belt	\$	668.68
144	Cason and Gaskins TV Inc	Re-Charger	\$	13.99
145	Century Link	Phone Service	\$	108.46
146	Culligan	Bottled Water	\$	81.48
147	C.W. Roberts	Asphalt Pour	\$	61.77
148	E & B Hauling Services, LLC	Cake Removal	\$	2,496.00
149	Ernie Morris	Office Supplies	\$	149.61
150	FL Dept of Management Services	Telephone Service	\$	90.20
151	Hayes Pipe Supply, Inc	Reduced Pressure Backflow Preventor	\$	550.00
152	HD Supply Waterworks		\$	1,190.73
153	Instrument Specialist, Inc.	Shop Calibrated Watts TK99D	\$	111.65
154	Interstate Batteries	Battery	\$	81.45
155	ITT Water & Wastewater USA	Field Service Repair Telemetry Pump	\$	316.00
156	MMD Computer Center, Inc	Repair Plant Maintenance Computer, Laptop Latitude	\$	259.00
157	Odyssey Manufacturing Co.	Hypochlorite Solutions	\$	2,350.25
158	PGIT	Workers Comp Insurance	\$	1,477.51
159	Pro Chem	Microcide, Wash/Was, Suds Hand Soap	\$	357.07
160	Progress Energy	Electric Service	\$	1,009.31
161	Sprint - Nextel	Cell Phone Service	\$	147.45
162	Sumter Electric	Electric Service	\$	604.63
163	Sunshine State One Call	Locators for Month of February 2010	\$	98.95
164	Terminix	Monthly Pest Control Contract	\$	30.00
165	Test America	Environmental Testing	\$	2,289.00
166	The Daily Commercial	Ads	\$	167.08
167	UPS	Postage	\$	10.70
168	USA BlueBook	Pulsation Snubber, Pressure Logger	\$	549.85
169	US Health Works	Blood Alcohol, 8 Panel Nondot-Accident	\$	70.00
170	VWR International	Alcohol, Buffer PH, Oxide, Pipet Filler, Flask Fitr,Etc	\$	671.99
171	Weight - Check	Annual Inspection Test Service Calibration & Cert.	\$	200.00

ATTORNEYS/CONSULTANTS/SURVEYORS

172	Barnes,Ferland & Associates, Inc	Engineers	\$	425.60
-----	----------------------------------	-----------	----	--------

FUEL INVENTORY

173	Stone Petroleum Products, Inc	Regular Unleaded Gasoline	\$	7,276.79
-----	-------------------------------	---------------------------	----	----------

TOTAL				\$ 304,452.38
--------------	--	--	--	----------------------

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

SEAL

ATTEST: _____

Joseph Jacobs, City Clerk

Ed Wolf, Mayor

**CITY OF WILDWOOD
EXECUTIVE SUMMARY**

SUBJECT: Holiday Pay & Smoking Policy

REQUESTED ACTION: Board Option

☐ Work Session (Report Only)

DATE OF MEETING: 3/08/10

☒ Regular Meeting

☐ Special Meeting

CONTRACT: ☐ N/A

Vendor/Entity: _____

Effective Date: _____

Termination Date: _____

Managing Division / Dept: _____

BUDGET IMPACT: \$0

☒ Annual

FUNDING SOURCE: _____

☐ Capital

EXPENDITURE ACCOUNT: _____

☐ N/A

HISTORY/FACTS/ISSUES:

Mayor and Commission,

Attached is **Resolution No R2010-07** relative to amending the current holiday policy and smoking in city vehicles policy. The holiday portion will have the most effect on those departments that are required to be operational 24 hours a day. (Water, Wastewater, Police)

The Current Holiday policy is such:

- If an employee works on a Holiday, that employee would receive what amounts to 2.5x the pay rate.
- If, during the employees normal work week, the employee is off on the day of the holiday, this employee would also receive 8 hours for that day. This could result in overtime pay.

Example: Police Officer's normal working week is Tuesday thru Saturday. Martin Luther King Holiday is on Monday. The Officer would get 40 hours plus the 8 hours holiday which causes overtime.

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
8*	8	8	8	8	8	

The proposed Holiday policy is such:

- If an employee works on the Holiday, that employee would receive 2x the pay rate
- No overtime will be allowed for a Holiday
- In recognition that the individual is required to work that day, the employee would receive 1 Holiday (similar to the personal day) that would be placed in a Holiday bank for the employee to utilize at some point. The Commission would need to determine if this Holiday credit would need to be utilized (similar to the personal day) within the fiscal year or at any time.

- This Holiday credit would be separate from the vacation accrual so it would not be paid out in case of layoff or resignation in good standing. The Holiday accrual would not count against the employee for vacation accrual as well.
- If, during the employees normal work week, the employee is off on the day of the holiday, this employee would also receive a Holiday credit.

Example: Police Officer's normal working week is Tuesday thru Saturday. Martin Luther King Holiday is on Monday. The Officer would get 40 hours plus the 8 hours holiday credit in bank.

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
8*	8	8	8	8	8	

Current Smoking Policy:

- Policy 8.18 D (3): No Smoking in City vehicles purchased after May 22, 2006, and no smoking when a non smoker is present.

This resolution amends the policy to state that there would be no tobacco use in any City vehicle at any time. This would include the use of smokeless tobacco.

CITY COMMISSION OF THE CITY OF WILDWOOD

EXECUTIVE SUMMARY

SUBJECT: **Personnel Policy Section 8.18 - Smoking Policy for City Employees Within City-Owned Facilities**

REQUESTED ACTION: **Boards Discretion**

☐ Work Session (Report Only)
☒ Regular Meeting

DATE OF MEETING: **March 22, 2010**
☐ Special Meeting

CONTRACT: ☒ N/A
Effective Date: _____
Managing Division / Dept: _____

Vendor/Entity: _____
Termination Date: _____

BUDGET IMPACT: _____

☐ Annual
☐ Capital
☐ N/A

FUNDING SOURCE: _____

EXPENDITURE ACCOUNT: _____

HISTORY/FACTS/ISSUES:

Resolution NO. R2010-07 was presented to the City Commission March 8, 2010 for review/approval. Said Resolution pertained to amending the Personnel Policies relating to Holidays, Holiday Pay and Tobacco product use in City Vehicles.

The Commission questioned staff whether a survey of other cities' policies pertaining to smoking and other tobacco use in vehicles has been done. The City Commission by motion directed that other cities' policies be reviewed with findings returned to the Commission at a future meeting. The Commission approved the Holidays and Holiday Pay section of the Resolution.

A Request for Information pertaining to Smoking/Tobacco Use was broadcast to Florida cities, by staff. Responses have been received to date from cities and from private companies indicate a No Smoking in vehicles policy along with their No Smoking in City facilities.

One response to date, the City of Mt. Dora, has a No Tobacco Use policy for employees. Tobacco Use is not permitted in, around or on any City property including City vehicles. The policy also states no employee shall use tobacco products in public while on duty.

Issues: Whether to amend the Personnel Policies relating to Smoking in Vehicles to include All Vehicles and No Tobacco Use (smoke and smokeless).

Whether to amend the Personnel Policies relating to Smoking in Vehicles to include No smoking in All Vehicles.

Jerri A. Blair, P.A.

Attorney and Counselor At Law

Jerri A. Blair
Attorney at Law

131 W. Main St.
P.O. Box 130
Tavares, FL 32778-0130
(352) 343-3755
(352) 343-5301 fax

MEMO

To: Mayor Ed Wolf; Commissioner Ronald Allen; Commissioner Pamela Bivins; Commissioner Robby Strickland; Commissioner Don Clark

From: Jerri A. Blair 

Date: March 12, 2010

Re: Personnel Policy for smoking

CC: Robert Smith; Marena Roberts

You asked at the last commission meeting that I provide you with input on the legal status of use of smokeless tobacco and smoking in public vehicles.

The purpose of the Florida Clean Air Act is to protect people from taking in smoke. See §386.202, Fla. Stat. It provides that a person may not smoke in an enclosed area of any work place except as permitted by statute. §386.204, Fla. Stat. The exceptions include private residences, retail tobacco shops, stand alone bars, and designated smoking areas in work place areas. The statute expressly preempts regulation of smoking to the state and supercedes any municipal or county ordinances. §386.209, Fla. Stat. The statute does not specifically refer to vehicles, and I looked for case law addressing this issue and found none. However, I believe that a vehicle could logically be included under the definition because it is an enclosed area where people work.

The Clean Air Act does not appear to apply to non-lighted tobacco. Second hand smoke is defined as smoke emitted from lighted, smoldering or burning tobacco when the smoker is not inhaling or smoke emitted at the mouth piece during puff drawing and smoke exhaled by the smoker. §386.203(9), Fla. Stat. Smoking is defined as inhaling, exhaling, burning, carrying or possessing any lighted tobacco product including cigarettes, cigars, pipe tobacco and any other lighted tobacco product. Thus, the Clean Air Act does not apply to smokeless tobacco.

The City's personnel policy related to smokeless tobacco does not violate the prohibition contained in the Clean Air Act against municipalities attempting to pass ordinances or rules related to smoking because the Clean Air Act does not apply to smokeless tobacco. Thus, the City is free to pass its own rules for employees related to this substance. However, I have found no other City which regulates use of such substances.

Let me know if you have any questions.

RESOLUTION NO. R2010-07

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA ADOPTING THE REVISED PERSONNEL POLICIES AND PROCEDURES SECTION 7.01 HOLIDAYS; CREATING SECTION 6.6 HOLIDAY PAY; AMENDING SECTION 8.18; REPEALING THE EXISTING 7.01; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has reviewed the existing personnel rules, and law related to employment issues to assure that the City remains in compliance with all applicable laws; and,

WHEREAS, the City adopted by Resolution No. R2009-13 revised Personnel Policies and Procedures, August 24, 2009, with the exception of Section 7.01, Holidays and Section 6.6, Holiday Pay; and

WHEREAS, the City has reviewed Section 8.18, Smoking Policy for City Employees Within City-Owned Facilities and has determined revision is necessary, and

WHEREAS, the attached "Exhibit A" contains a revision of Section 7.01, Holidays; and a new Section 6.6, Holiday Pay; and an amendment of Section 8.18.

NOW THEREFORE, BE IT RESOLVED, by the City Commission of the City of Wildwood, Florida:

SECTION 1. The City of Wildwood Personnel Policies and Procedures Section 7.01, Holidays; Section 6.6, Holiday Pay; and the amended Section 8.18 attached hereto are hereby adopted and shall become effective upon adoption of this resolution.

SECTION 2. The City of Wildwood Personnel Rules Section 7.01, which have been in effect at the time of this resolution are hereby repealed.

SECTION 3. A complete copy of the new personnel policies and procedures shall be made available to every Wildwood employee after this resolution is adopted and to each new employee as they are hired.

SECTION 4. This Resolution shall take effect immediately upon its final adoption by the City Commission of the City of Wildwood, Florida.

DONE AND RESOLVED, this _____ day of _____, 2010, in regular session, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

SEAL

ATTEST: _____
Joseph Jacobs, City Clerk

Ed Wolf, Mayor

**CITY OF WILDWOOD
EXECUTIVE SUMMARY**

3. NEW BUSINESS – ACTION REQUIRED
g. General Items for Consideration 2.
Discussion relative to whether or not to continue the
Growers Market – make it year round.....

SUBJECT: City of Wildwood Growers' Market

REQUESTED ACTION: Staff Recommends Approval

☐ Work Session (Report Only) **DATE OF MEETING:** 3/22/10
☒ Regular Meeting ☐ Special Meeting

CONTRACT: ☐ N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: _____

BUDGET IMPACT: \$
☒ Annual **FUNDING SOURCE:** _____
☐ Capital **EXPENDITURE ACCOUNT:** _____
☐ N/A

HISTORY/FACTS/ISSUES:

Mayor and Commission,

On August 10, 2009 the Commission approved the creation of the City of Wildwood Growers' Market. The intent of the market was to not only help support local produce vendors and craftsman, but to hopefully increase traffic within the downtown area.

Since the market first began on October 24th, the event has averaged about 24 vendors every Saturday. There have been 17 markets since opening weekend. Although the weather has not been cooperative lately, they have all been well attended and profitable for the vendors.

As of March 7th, the market has made \$5,085.00. This is an average of about \$300.00 a market. Expenditures for the market have cost the City a total of \$5,882.30. This is an average of about \$346.00 a market. The City's net loss is \$797.30, or about \$46.90 a market.

If the Commission chooses to continue the market and decide to hold it year round, the City may apply for grants to not only pay for the advertising for the market, but pay the salary of the market manager as well.

City Staff would recommend that the Commission continue the market and authorize it to held year round.

City of Wildwood, Florida

100 N. Main Street
Wildwood, Florida 34785

TO: Mayor/Commissioners

FROM: David Grimm, City Projects Planner/Coordinator

RE: Bids for Gamble Street Drainage Improvement Project

DATE: March 22, 2010

The City of Wildwood solicited bids for the Gamble Street Drainage Improvement Project that will include the construction of a retention pond and associated roadway improvements to help mitigate the Gamble Street flooding problems.

The results are as follows:

1. CW Roberts Contracting:	\$52,411.50
2. Paqco, Inc:	\$52,917.00
3. Ciraco Underground, Inc:	\$60,165.66
4. Beasley Construction:	\$61,131.32
5. Steven Counts, Inc:	\$70,927.63
6. Croft Contracting, Inc:	\$72,855.74
7. Salser Construction:	\$73,106.44
8. Allegiance Contracting, Inc:	\$79,006.00

Staff recommends awarding the contract to the low bidder on the project, CW Roberts Contracting, in the amount of \$52,411.50.

A copy of the Kimley-Horn letter recommending CW Roberts Contracting is attached.



Kimley-Horn
and Associates, Inc.

March 17, 2010

■
Suite 101
1321 SE 25th Loop
Ocala, Florida
34471

Mr. Dave Grimm, Project Planner
City of Wildwood
100 N Main Street
Wildwood, Florida 34785

Re: *Gamble Street Drainage Improvements Bid Results*
KHA Project No. 142173013

Dear Mr. Grimm:

We have reviewed the construction bids received for the above referenced project. As of the deadline on March 15, 2010 at 5:00 pm, eight bids were submitted.

Based on our review of the documents submitted, C.W. Roberts Contracting, Inc. appears to be the lowest responsible bidder. It is our recommendation that the City of Wildwood authorize Kimley-Horn to issue a Notice of Intent to Award to C.W. Roberts Contracting, Inc. for this project.

Please advise accordingly.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Richard V. Busche, P.E.
Vice President

K:\OCA_Civil\1421\73013-Gamble Street Improvements\Doc\LDG031710RVB.doc

■
TEL 352 671 9451
FAX 352 671 9439